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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MITCH MCCONNELL, a Senator from the Commonwealth of Kentucky.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, keep us from being a nation that forgets You. Remind us that righteousness exalts any nation, but that sin deprives, degrades, and destroys, providing reproach to any people.

Arise, O God. Lift Your hands and lead our lawmakers to accomplish Your purposes. Use them to break the stranglehold of wickedness, providing deliverance for captives and freedom for the oppressed. In You, O God, we find refuge. May we not be brought to shame, for You can make even our enemies be at peace with us. Continue to guide us, strong Deliverer, for we are pilgrims in this land. We are weak, but You are mighty. Guide us with Your powerful hands.

Lord, we praise You for the courage of the South Carolina Legislature.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 9, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MITCH MCCONNELL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. MCCONNELL thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. ALEXANDER). The majority leader is recognized.

EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, No Child Left Behind laid the groundwork for important reforms to our education system. But with its authorization expiring in 2007, and with the previous Senate majority failing to replace it with a serious proposal, many of the original requirements stayed in place anyway and gradually became unworkable.

This resulted in a lot of States getting tangled up in endless bureaucracy, reducing their ability to focus on boosting achievement and school performance. That was certainly true in the Commonwealth I represent. Kentucky was actually the first State to petition for some freedom from the law's requirements, and with that additional flexibility came better results.

Kentucky improved its graduation rate, climbing into the top 10 among all States. Kentucky increased the number of students who met statewide standards. Kentucky raised the percentage of students entering postsecondary education programs, increasing that number from about half to more than 68 percent in just a few years' time.

So this additional flexibility has been good for Kentucky but only to a point, because the White House began to tack on more and more requirements as a condition of continued relief from the original law's mandates, leaving many States in an untenable situation. This is how the White House was able to impose Common Core in many places that didn't necessarily want it. In a sense, the flexibility one hand gave, the other has continually taken away.

It is clear that temporary relief, strapped with other Federal mandates, is not a workable choice for States. This is why we need congressional action to replace the broken husks that remain of No Child Left Behind with reforms that build on the good ideas in the original law while doing away with the bad ones.

That is what the bipartisan Every Child Achieves Act before us would, in fact, achieve. It would grow the kind of flexibility we have seen work so well in States such as Kentucky, and it would stop Federal bureaucrats from imposing the kind of top-down, one-size-fits-all requirements that we all know threaten that progress.

Kentucky has already seen success with the limited and conditional flexibility granted to it so far. So just imagine what States such as Kentucky could achieve when fully empowered to do what is right for their students. This is how Kentucky education commissioner Terry Holliday put it in a letter he sent in support of this bill:

I can attest based on our experience that the waiver process is onerous and allows too many opportunities for federal intrusion into state responsibility for education. The long-term health of public education in the United States requires reauthorization and an end to the use of the waiver as a patch on an otherwise impractical system of requirements.

He is, of course, just right, and we have never been closer to achieving the kind of outcome our kids deserve. Many thought Washington could never

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

solve this issue, but the bill before us was supported unanimously by Republicans and Democrats in committee. Members of both parties are having a chance now to offer and vote on amendments to the bill too. We had several amendment votes yesterday. I expect more today. If our colleagues from either side of the aisle have more ideas to offer, I would ask them to work with Senator ALEXANDER and Senator MURRAY to get them moving.

This is what a Senate that is back to work looks like. With continued bipartisan cooperation, this is a Senate that can prove the pundits wrong again by passing another important measure to help our country and our kids.

Remember, the House of Representatives already passed its own No Child Left Behind replacement just last night, as it has done repeatedly in years past. Now is the time for the Senate to finally get its act together after 7 years of missed deadlines on this issue. A new Senate majority believes that the time for action and bipartisan reform should be now, and with continued cooperation from our friends across the aisle, it will be.

BURMA

Mr. MCCONNELL. Mr. President, on an entirely different matter, a few weeks ago I came to the floor to discuss the importance of Burma's election this fall. I noted that its conduct would tell us a lot about the Burmese Government's commitment to the path of political reform. I said that demonstrating that commitment would be critical to reassuring Burma's friends abroad and that it could even have consequences for further normalization of relations with the United States, at least as it concerns the legislative branch.

So I urged Burmese officials to take every step to ensure an election that would be as free and fair as possible. Yet on June 25, the Burmese Government took a step backward from the path to more representative government.

Let me explain. There is little doubt that Burma's Constitution contains numerous flaws that need to be revised if the government is to be truly representative.

First, it unreasonably restricts who can be a candidate for President—a not so subtle attempt to bar the country's most popular opposition figure from ever standing for that office. But then it goes even further, ensuring an effective military veto over constitutional change—for instance, amendments about who can run for the Presidency—by requiring more than three-fourths parliamentary support in a legislature where the Constitution also reserves one-fourth of the seats for the military.

Let me say that again. The Constitution reserves one-fourth of the seats for the military and requires a three-fourths vote to amend the Constitution—completely jerry-rigged. It is obvious to see why things should change if Burma is to pursue a path of a more representative government.

Allowing appropriate constitutional fixes to pass through the Parliament would have said some very positive things about the Burmese Government's commitment to political reform. But when the measures were put to a vote on June 25, the government's allies exercised the very undemocratic power the Constitution grants them to stymie the reform.

This stands in stark contrast to the support for reform among elected Burmese lawmakers, which is likely higher than 80 percent. So among the people elected by the people, 80 percent favor the reform, and the 25 percent inserted into the process by the military guaranteed that no reform occurred. So even if the actual conduct of the election proves to be free and fair, it risks being something other than, certainly, the will of the people.

When the most popular figure in the country is precluded from being a candidate for the highest office in the land, and when approximately 80 percent of the people's chosen representatives are stymied by lawmakers who are not democratically elected, it raises fundamental questions about the balloting that is coming up this fall and about the Burmese Government's commitment to democracy. In fact, at this point it is unclear if the opposition NLD Party will even participate in this fall's election.

We knew that legal, economic, political, and constitutional development and reform would evolve in that country through fits and starts. This is only realistic, given the baseline from which Burma was starting when Congress agreed to lift some of the sanctions.

Those of us who have followed Burma for a long time also know that, given its history, the military fears change, ethnic unrest, and the uncertainty that a more democratic government might bring. That is well acknowledged, but improving relations with the United States meant both sides would have to take some risks. This was a moment for the military to take another important step on its end, and it was a missed opportunity.

In light of the recent defeat of constitutional reform, I believe that steps such as including Burma in the Generalized System of Preferences Program should be put on hold until after this fall's election. Only after the ballots have been cast and counted in Burma can an appropriate evaluation be made about the pace of reform in the country and whether additional normalization of relations is warranted.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The Democratic leader is recognized.

REPUBLICAN FILIBUSTERS

Mr. REID. Mr. President, first, I wish to take just a moment to praise the good work being done by the chairman and the ranking member of the HELP Committee. The senior Senator from Tennessee and the senior Senator from Washington have done a remarkably good job to bring this reauthorization to the floor.

Elementary and secondary education is so important, and we are not living up to the standards that we should have. It is important to remember that all of this could have been done a long time ago.

On the floor I mentioned yesterday that Senator Harkin—who I said was a legendary Senator who served here for six terms, plus a number of terms in the House of Representatives—for quite some time was chairman of the HELP Committee, and when he wasn't chairman, he served under the guidance and leadership of Senator Kennedy.

Yesterday I said that the Republican leader came to the floor and was boasting: Oh, we are getting this bill done. It is so great that things are working so well in the Senate.

I mentioned at that time—yesterday—that Senator Harkin tried to bring the bill to the floor. He sent me an email last night, and he said that he on two separate occasions—2011 and 2013—got a bill out of the committee. But what happened? It was blocked coming to the floor by the Republicans—the same group of people who are now boasting that things are working so well here.

Well, Mr. President, I think it is a shame that people come here to the floor and boast about the fact they have spent the last few Congresses trying to ruin Congress and the country. And they have done a pretty good job of it.

We are happy to be on this bill. And there is no motion to proceed, such as I had to do on virtually every bill we brought to the floor. But let's understand that historically. My friend the Republican leader is living in a dream world. In fact, it is fast becoming a theme of this 114th Congress—bringing up legislation that Republicans have blocked in the past. Senator STABENOW from Michigan calls it the filibuster makeup.

Look at the accomplishments about which my friend the Republican leader brags that he has gotten done this year:

Terrorism risk insurance. We would have done that at any time during the last Congress—at any time—and he knows it.

The Clay Hunt suicide prevention bill. That was a bill which was so easy to get done. It was blocked. The Republicans wouldn't let us move forward on it.

Appropriations for the Department of Homeland Security. We were prevented from doing that.

The human trafficking bill. We spent a lot of time on it in this Congress. We

would have done that last Congress easily. We were prevented from doing so.

The repeal of Medicare's sustainable growth rate. We call it SGR. We would have done that at any time, Mr. President. There are no great shakes here. How did we get it done? It wasn't paid for. Why? Because it was a budget gimmick in the first place, during the Bush years.

So to hear my friend the Republican leader coming and boasting about all this stuff getting done, we could have done—most of it could have been done two Congresses ago. Certainly in the last Congress we should have gotten it done.

The extension of the Foreign Intelligence Surveillance Act—the PATRIOT Act. We knew it had to be done. We tried to get it done last Congress but couldn't get it done. We were prevented from doing so.

Now it is the same with the elementary and secondary education bill. I am glad we are on this and glad to complete this other stuff, but let's not try to rewrite history, Mr. President. These things could have been done easily had they not been filibustered here on the Senate floor. Any one of these bills would have easily passed in the last Congress, but every one of them was blocked by Republicans.

MANUFACTURED CRISES

Mr. REID. Mr. President, we hear the phrase ''manufactured crisis'' used a lot here lately. Why? The Republican leader gives people plenty of reason to use the term. He has singlehandedly turned the entire appropriations process into a charade designed to manufacture yet another crisis.

Look no further than what Republicans are doing in the interior, environment appropriations bill. The Republican leader bragged yesterday—today is Thursday, so on Wednesday—that he and his colleagues have ''lined the interior appropriations bill with every rider you can think of to push back against them.''

They have filled that legislation with so-called riders. What is a rider? It is an extraneous provision that has nothing to do with the purpose of the bill—in this instance, a funding bill. So they have filled that legislation, the interior appropriations bill, and other bills that have nothing to do with funding the government with things that are harmful to our country.

For example, in the appropriations bill dealing with the interior, Republicans have included language to permanently dismantle efforts to address climate change by blocking Federal enforcement of a nationwide policy to reduce carbon pollution from existing powerplants.

Climate change is very hurtful to our economy and hurtful to our country.

I was at an event at the White House two nights ago. The President said that if we don't do something about climate change by the year 2100, the seas will have increased by 16 feet. The State of Florida will basically be half underwater.

Prior to 2100, it is already getting bad. Talk to the two Senators from Virginia. Areas that are military installations are now covered with water most of the time. Talk to my friend the senior Senator from Florida, and he will tell you what is happening in Florida now. Talk to the Governor of New York, and he will tell you what happened with Sandy, the hurricane. It is going to happen again because we are doing nothing to prevent climate change from devastating our country. The Presiding Officer is from the State of Nevada, as am I. He knows that bears—not all bears but many bears are not even hibernating in the Sierras anymore because it is not cold enough. Talk to one of the Senators from New Hampshire. The moose are being devastated. Why? Because the cold weather is not killing the gnats, the fleas on the moose, and they are dying. About a third of them are dead.

So climate change is not serious? It is a serious issue. Of course it is.

Republicans have riders in this bill dealing with clean water. They have stuck in language to permanently block implementation of protections for streams and wetlands that have the greatest impact on our Nation's water quality.

Ozone pollution is another rider they slipped in there. They slipped in language to delay efforts to protect people from lung diseases and asthma, among other things.

Hazardous waste cleanup—now, this is unique. They stuck language in this bill affecting Superfund sites. This has been a great program. It has been a great program because people who devastate and pollute the land are asked to pay to clean it up. Republicans have stuck language in here to have the taxpayers clean this up and pay for it. That is stunning to me.

This is a perfect example of Republicans manufacturing a crisis. They have loaded up a necessary funding measure with dangerous provisions that have doomed these bills. Then when Democrats oppose it, the Republican leader will feign outrage and blame Democrats for its failure, hoping to score some type of political victory.

Republicans know an appropriations bill full of riders that roll back environmental protections will be stopped by us and vetoed by the President. This scripted performance is the definition of a manufactured crisis. And the Republican leader said as much last year in an interview with the Hill newspaper Politico. Here is what he said:

> Obama needs to be challenged, and the best way to do that is through the funding process. He would have to make a decision on a given bill, whether there's more in it that he likes than dislikes. A good example is adding restrictions to regulations from the Environmental Protection Agency. Adding riders to spending bills would change the behavior of the bureaucracy.

He promised that last year, and he is a man of his word. He is ruining every one of these appropriations bills with these riders, in spite of more asthma, more heart disease, more cancer.

Instead of passing appropriations bills that keep our government open and funded, the Republican leader is more interested in making Democrats and Republicans not work together and having the President and Democrats very uncomfortable. Sadly, this is how Republicans are governing. This is how they pretend to lead our country. It is embarrassing. I believe it is. Look at the poll numbers to see what is happening. The Republican leader's numbers are the lowest they have ever been recorded.

It doesn't have to be this way. With the help of a handful of reasonable Republicans, we can sidestep this sham and pass meaningful legislation that averts another government shutdown. The first one was promoted and engineered by the Republicans.

I said yesterday and I repeat, Mr. President, to show how shameful that was, two-thirds of the Republicans in the House voted to keep the government closed. I mentioned yesterday how the Republican chairman of the House Committee on Appropriations, Congressman HAL ROGERS—whom people call the Dean of the Kentucky delegation—is calling on his party to work with us Democrats on a long-term solution that avoids a government shutdown. We need Republicans like him here in the Senate.

In just a few months, the government will run out of money. It will have no more money on October 1. Unless we can reach a bipartisan budget agreement, our Nation will face another ridiculous and damaging government shutdown. So I urge my Republican friends—especially Republican leaders in both Houses—to listen to Chairman ROGERS and those other members of the Committee on Appropriations and work together. Put aside these nonserious games and get serious about keeping our government open. It is the only way Congress will avoid another manufactured crisis the Republican leader seems so desperately to desire.

WASHINGTON FOOTBALL TEAM NAME

Mr. REID. Mr. President, finally, yesterday the U.S. District Court for the Eastern District of Virginia affirmed what Native Americans have been saying for decades—the Washington football team name is disparaging. It is racist and morally objectionable, and it should be changed now.

U.S. District Court Judge Gerald Bruce Lee sustained the Patent and Trademark Office's decision that the Washington football team name should not be protected by a Federal trademark registration. That is good news. But how did the Redskins respond? Sorry to use that name. I made a mistake. How did the Washington football

team respond? By saying: Well, our football team is worth a lot of money, and as part of that value, the Redskins name is worth some money.

I mean, does Daniel Snyder have enough money? I think so, without disparaging the group of Indians we have in Nevada—22 separate tribal entities in Nevada. They do not like this. Snyder tried a couple of things—bought them a car and thought they would back off and no longer object. They saw that one coming, and they said: No, you keep the car.

What the judge did yesterday is good news. The Federal Government should not protect a team or company that takes pride in hearing a racial slur every time their name is mentioned.

While the ruling is a step in the right direction, this battle is not over. Ultimately, the response will rest with the owner, Dan Snyder, a multibillionaire. The U.S. Government cannot change his team's name; only he can. For far too long, owner Snyder has tried to hide behind tradition, but yesterday's ruling makes clear that his franchise's name only fosters a tradition of racism, bigotry, and intolerance.

I admire so very much the Republican Governor of South Carolina. She has all the conservative credentials anyone needs, and after that terrible incident at a church in her State, she said the Confederate flag is going to go. Yesterday, after a long debate, as I understand it, the South Carolina Legislature said no more public display of the flag. So tradition is not the name of the game. Fairness—not racism, not bigotry, not intolerance—is the game.

Dan Snyder should do the right thing and change the team's name. There is no place for that kind of tradition in the National Football League, and there is certainly no place for it in our great country.

Mr. President, I apologize to my friend the chairman of the committee for taking so much time.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Alexander (for Fischer) amendment No. 2079 (to amendment No. 2089), to ensure local governance of education.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Toomey amendment No. 2094 (to amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools ''passing the trash''—helping pedophiles obtain jobs at other schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Democratic leader and the Republican leader have created an environment in which we can succeed on this bill, and I am grateful to them for that. I listened to their remarks this morning about some things that have gone on in the past in the Senate. My late friend Alex Haley, the author of ''Roots,'' used to say: Find the good and praise it. And so what I would like to do is thank the majority leader for putting the bill on the floor. Only he can do that and give us a chance to debate it. I thank the Democratic leader for creating an environment in which we can have a large number of amendments and succeed.

I thank the Senator from Washington, Mrs. PATTY MURRAY, who suggested the way we proceed today. We fell into some partisan differences in the last two Congresses that made that impossible, and she has, as much as anybody, helped solve that problem.

We are making good progress. We have adopted a number of amendments. We voted on some others. Some have passed, and some have been defeated. People have had a chance to have their say. Senator MURRAY and I have received a large number of amendments—several dozen, actually, that Senators on both sides have offered—that we have agreed to recommend to the full Senate we adopt by consent.

In addition to that, we adopted 29 amendments in the committee consideration, and many of those were amendments from Democratic Members of the Senate. So I think most Senators—in fact, I haven't heard a single one say that they haven't had a chance to have their say on No Child Left Behind.

Yesterday, I put into the RECORD an op-ed from the Washington Post by the Virginia Secretary of Education Anne Holton, who made the argument that States, like Virginia, are well prepared to accept the responsibility for higher standards, better teaching, and real accountability. Over the last 15 years, that has happened in every State.

It reminds us that this bill we are debating only provides 4 percent of the dollars that pay for our 100,000 public schools in the country. We have some other money that the Federal Government spends—4 percent or 5 percent more—for those schools, but this bill spends 4 percent. Most of the money, most of the responsibility, most of the opportunity for success is with parents, classroom teachers, and others who are close to the children.

The consensus we have developed, the bipartisan consensus—again, with the bill Senator MURRAY and I put together and improved by our committee and now being improved on the floor—is that while we keep the important measures of the accountability, so we know what children in South Dakota and Tennessee and Washington State are learning and not learning, so we can tell if anyone is left behind, that we restore to States the responsibility for figuring out what to do about the tests. That has broad-scale support.

Superintendents were in town yesterday from all over the country; they told us that. Governors are calling us; they tell us that. The major teachers organizations in the country tell us we do not need, in effect, a national school board. Those decisions need to be made by teachers who cherish the children in their classroom and the parents who put them there and school board members who care for them and Governors and legislators who are closer to home. So this bill isn't easy to do, but because of that consensus, we are making good progress.

I will submit following my remarks an article from earlier this week from Newsweek entitled, ''The Education Law Everyone Wants to Fix.'' The House of Representatives said it wants to fix it last night. The progress we are making suggests the Senate wants to fix it. We know all across the country Governors, legislators, teachers, school superintendents, and parents want to end the confusion and anxiety in the 100,000 public schools.

We will be having more votes, hopefully today just before lunch, and then we will continue with the bill.

Mr. President, I ask unanimous consent that following my remarks, the article from Newsweek entitled ''The Education Law Everyone Wants to Fix'' be printed in the RECORD.

On a different subject, which I will not elaborate on today, I wish to also include, following my remarks, an article I wrote for the Wall Street Journal yesterday about the cost of going to college. I think it is unfortunate that so many politicians and pundits say that Americans can't afford college when in fact most of them can. It is never easy, but it is important for them to know that for low-income Americans, for example, the first 2 years of college are free or nearly free at a community college; and there are many other ways colleges, universities, the Federal Government, and taxpayers try to make it easy for a larger number of Americans to go to college. That is a debate Senator MURRAY and I are already working on. We will bring the reauthorization of the higher education bill before the Senate hopefully later this year.

Mr. President, I ask unanimous consent that my op-ed from the Wall Street Journal be printed in the RECORD following my remarks.

Mr. President, there are a number of Senators who wish to come to the floor to speak today. I encourage any Senator who hasn't presented their amendment to go ahead and do that. I am

hopeful that soon we will have an agreement to have a number of votes before lunch.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Newsweek, July 3, 2015]

THE EDUCATION LAW EVERYONE WANTS TO FIX

(By Emily Cadei)

When it comes to setting standards for America's public schools, there's a remarkable degree of consensus: The system the federal government has in place—known as No Child Left Behind—doesn't work. Fixing it, however, is about to set off a new round of fierce political combat in Washington, D.C., and draw in 2016 candidates as well.

Both the House and Senate are set to debate the 2001 No Child Left Behind law next week. Passed with bipartisan support—including the unlikely pairing of President George W. Bush and Massachusetts liberal Sen. Ted Kennedy—it sought to set national standards for school and student achievement, and mandated testing to make sure they were keeping up as well as funding incentives to keep schools on track.

But the goals that the 2001 law set turned out to be far too ambitious and, the chorus of critics say, too rigid. ''Teaching to the test'' is a refrain heard across the country. Test results have become an end-all, be-all, complain teachers and parents, Democrats and Republicans, alike.

No Child Left Behind ''simplified all of school accountability to be a performance on a math test or a reading test,'' says Mary Kusler, director of government relations for the National Education Association, which lobbies on behalf of teachers and other education professionals. That, Kusler says, ''has corrupted the education our children are receiving because it has reduced our schools to this reduce and punish system.''

The two parties have very different visions for overhauling the law, however. Those in the middle, the House and Senate leaders that have drafted the legislation, are now faced with walking a tightrope between a measure that will win sufficient Republican support in the House but still get a signature from President Obama. That's no easy task—the law has technically been expired since 2007, but Congress has not been able to muster the political consensus to reauthorize it since then. It's still being implemented, though, because Congress continues to provide funding for the vast majority of its programs.

In the Senate, Tennessee Republican Lamar Alexander, a former Secretary of Education, and Washington Democrat Patty Murray have crafted a proposal that passed their Health, Education, Labor and Pensions Committee unanimously in April. Their legislation would maintain the testing regimen put in place by No Child Left Behind but give states more flexibility in how they use test results to measure performance. That's earned the hearty endorsement of teachers and groups like NBA, as well as business associations—which are usually on opposite sides of the education policy debate. In order to get Democrats on board, Alexander dropped one big Republican priority from the bill—a provision that would link federal funding for students from low-income areas to the individual child, rather than the school district in which they reside, which is how the system works now. Republicans argue this ''portability'' measure gives children and their families an opportunity to go to better schools but Democrats say it will just weaken already struggling schools. It's part of a broader fight over ''school choice'' and whether students can use public funds to go to the school they want—even private school—via things like vouchers. That, says Kusler, defeats the whole purpose of the law, which is aimed at improving low-performing schools and ''serving historically underserved populations.''

The House bill, sponsored by Minnesota Republican John Kline, includes the portability provision Republicans favor. That prompted a veto threat from the White House in February. But even with that provision, Kline's bill has had trouble winning conservative support. Republican leaders initially planned to hold a vote on it in late February but changed their minds at the last minute when it became apparent they didn't have enough GOP support. Members aligned with the Tea Party argue the overhaul still spends too much money and leaves too much power in the hands of the federal government. They're insisting on a vote on an amendment that would give states the option of opting out of No Child Left Behind requirements entirely, a proposal known in shorthand as A-PLUS.

''There's just no conceivable way they can bring the Kline bill onto the floor without bringing up A-PLUS,'' says Dan Holler, spokesman for Heritage Action for America, the advocacy arm of the conservative Heritage Foundation. Holler's group came out in strong opposition to the bill in February and plans to continue to oppose it unless that provision is included in the House bill. He argues that the House needs to pass the most conservative bill possible, given that they'll then have to negotiate a final text with the Senate.

Given how toxic No Child Left Behind has become, 2016 candidates on the campaign trail are going to be hard-pressed to avoid the debate. There could be 100 amendments or more filed in the Senate, which means the four Republican senators running for president will have to weigh in on plenty of thorny questions surrounding education policy as it relates to race, inequality and states' rights.

Even those candidates who won't be voting, however, are bound to be questioned on the topic. Education policy has become a litmus test on the Right, with conservatives rallying against any attempts to nationalize what they believe should be state or local decisions. They've mainly focused on plans for a national curriculum, known as Common Core, which is not part of the No Child Left Behind law. But Common Core is indirectly linked, since states have adopted it to meet the testing and accountability standards that No Child Left Behind created.

Many Republican governors that initially embraced the Common Core standards, including 2016 long shots Chris Christie of New Jersey and Bobby Jindal of Louisiana, have backed away from them amidst the conservative backlash. Former Florida Gov. Jeb Bush is one of the few (along with Gov. John Kasich of Ohio) who has stood by Common Core. He also once offered the Obama administration support in its efforts to reauthorize No Child Left Behind, according to an email the website Buzzfeed published last month. Those education stands are a big reason for conservatives' simmering distrust of this son and brother of past presidents.

The teachers' unions, meanwhile, continue to hold tremendous sway in the Democratic primary, and their endorsements remain up for grabs in 2016. Dark horse candidate Martin O'Malley, the former governor of Maryland, is clearly eyeing that vote, and is scheduled to hold an education event followed by a meeting with the NBA of New Hampshire next week.

The presidential race also offers a rationale to conservative holdouts opposed to the No Child Left Behind reauthorization, which would be effective for as long as five years. With the possibility of a Republican sweeping into the White House, some argue it's best to stick to the status quo for now, and tackle a more ambitious overhaul once a more conservative president is in office (they hope).

But Kusler, for one, is hopeful that the pressure from all sides to fix an unworkable law will ultimately force a political compromise—opposed to kicking the can down the road further. ''I am entirely optimistic that we will get this done. We have never been so close,'' she says. ''We have created a perfect storm here.''

[From the Wall Street Journal, July 6, 2015]

COLLEGE TOO EXPENSIVE? THAT'S A MYTH

(By Lamar Alexander)

Pell grants, state aid, modest loans and scholarships put a four-year public institution within the reach of most.

Paying for college never is easy, but it's easier than most people think. Yet some politicians and pundits say students can't afford a college education. That's wrong. Most of them can.

Public two-year colleges, for example, are free or nearly free for low-income students. Nationally, community college tuition and fees average $3,300 per year, according to the College Board. The annual federal Pell grant for these students—which does not have to be paid back—also averages $3,300.

At public four-year colleges, tuition and fees average about $9,000. At the University of Tennessee, Knoxville, tuition and fees are $11,800. One third of its students have a Pell grant (up to $5,775 depending on financial need), and 98% of instate freshmen have a state Hope Scholarship, providing up to $3,500 annually for freshmen and sophomores and up to $4,500 for juniors or seniors. States run a variety of similar programs—$11.2 billion in financial aid in 2013, 85% in the form of scholarships, according to the National Association of State Student Grant and Aid Programs.

The reality is that, for most students, a four-year public institution is also within financial reach.

What about really expensive private colleges? Across the country 15% of students attend private universities where tuition and fees average $31,000, according to the College Board. Georgetown University costs even more: about $50,000 a year. Its president, John DeGioia, told me how Georgetown—and many other so-called elite colleges—help make a degree affordable.

First, Georgetown determines what a family can afford to pay. It asks the student to borrow $17,000 over four years and work 10–15 hours a week under its work-study program. Georgetown pays the remainder—at a total cost of about $100 million a year.

Apart from grants, work and savings, there are federal student loans. We hear a lot of questions about these loans. Are taxpayers generous enough? Is borrowing for college a good investment? Are students borrowing too much?

An undergraduate today can get a federal loan of up to $5,500 his first year. The annual loan limit rises to $7,500 his junior and senior years. The fixed interest rate for new loans this year is, by law, 4.29%. A recent graduate may pay back the loan using no more than 10% of his disposable income. And if at that rate he doesn't pay it off in 20 years, taxpayers forgive the loan.

Are students borrowing too much? The College Board reports that a student who graduates from a four-year institution carries, on average, a debt of about $27,000. This is about the same amount of the average new

car loan, according to the information-services company Experian Automotive. The total amount of outstanding student loans is $1.2 trillion. The total amount of auto loans outstanding in the U.S. is $950 billion.

But a student loan is a lot better investment. Cars depreciate. College degrees appreciate. The College Board estimates that a four-year degree will increase an individual's lifetime earnings by $1 million, on average.

What about the scary stories of students with $100,000 or more in debt? These represent only 4% of all student loans, and 90% of the borrowers are doctors, lawyers, business school graduates and others who have earned graduate degrees.

About seven million federal student loan borrowers are in default, defined as failing to make a loan payment in at least nine months. That's about one in 10 of all outstanding federal student loans in default—although the Education Department says most of those loans eventually get paid back.

Here are five steps the federal government can take to make it easier for students to finance their college education:

Allow students to use Pell grants year-round, not only for the traditional fall and spring academic terms, to complete their degrees more rapidly.

Simplify the confusing 108-question federal student-aid application form and consolidate the nine loan repayment programs to two: a standard repayment program and one based on their income.

Change the laws and regulations that discourage colleges from counseling students against borrowing too much.

Require colleges to share in the risk of lending to students. This will ensure that they have some interest in encouraging students to borrow wisely, graduate on time, and be able to pay back what they owe.

Clear out the federal red tape that soaks up state dollars that could otherwise go to help reduce tuition. The Boston Consulting Group found that in one year Vanderbilt University spent a startling $150 million complying with federal rules and regulations governing higher education, adding more than $11,000 to the cost of each Vanderbilt student's $43,000 in tuition. America's more than 6,000 colleges receive on average one new rule, regulation or guidance letter each workday from the Education Department.

It is vital that more Americans earn their college degrees, for their own benefit and that of the country. A report by Georgetown University's Center on Education in the Workforce tells us that if we don't, we'll fall short by five million workers with postsecondary education in five years.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, making sure our Nation's students get a quality education is critical for our ability—our country's ability—to lead the world in the years to come, and a good education can be a ticket to the middle class. It is also important for building an economy from the middle out, not just from the top down.

Of course, yesterday the House of Representatives passed their partisan bill to reauthorize the Nation's K–12 education bill. While that is another important step in the process to finally fix the badly broken No Child Left Behind law, I am disappointed that House Republicans have chosen to take a partisan approach in their bill that is unacceptable to Democrats and will never become law.

I appreciate the work that ranking member BOBBY SCOTT put into the House Democratic substitute. I am looking forward to coming together with him as well as Chairman KLINE in a conference. I truly hope House Republicans will be ready to join ranking member BOBBY SCOTT and other House and Senate Democrats, Senate Republicans, and the administration as we work to get this done in a way that works for all students and families. I am looking forward to continuing that work here today in the Senate.

Again, I truly want to thank my colleague, the senior Senator from Tennessee, for working with me on our bipartisan bill, and I appreciate Chairman ALEXANDER's cooperation in working in a bipartisan way through this process. I join him this morning in encouraging our colleagues to file their amendments so we can continue making progress on this important piece of legislation.

Our bipartisan bill, the Every Child Achieves Act, is a good step in the right direction to fix No Child Left Behind. It gives our States more flexibility, while also including Federal guardrails to make sure all students have access to a quality public education. We are not done yet. I want to work to continue to improve and strengthen the bill.

One example, today we will talk about an amendment to help shine a light on inequalities in education that still exist in our country. I thank Senator WARREN for offering her amendment. I look forward to that discussion. That amendment will help States, districts, and schools better analyze student achievement data so they can help their students achieve. So I hope our colleagues will pass that amendment.

I am looking forward to getting started again today to work through this issue and a number of others we have, and I hope to continue to work in a bipartisan way to make sure all students have access to a quality education, again, regardless of where they live or how they learn or how much money they make.

I look forward to today's discussion. Again, I thank our colleagues on the other side of the aisle for working with us to fix this badly broken bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to acknowledge the comments of the Senator from Washington. Before she was here, I commented on her leadership and on how the Democratic leader as well as the Republican leader have created an environment in which we can succeed. We govern a complex country such as ours by consensus, and I think the way we are doing things is a pretty good example of the way we can do that.

I am glad the House of Representatives acted. We have a process for this called conference. We haven't been doing conferences much lately. But she and I both talked with Chairman KLINE and Representative SCOTT. If we should succeed next week, as I believe we will, why then we will have a conference with the House of Representatives, and we will develop a bill we hope the President will be comfortable signing. We are not here just to make a speech. We want to resolve this. As I said in the article I put in earlier, this is the education law everyone wants fixed. In our constitutional system of government, we don't fix it unless the House and Senate agree and the President signs it.

So that is our goal, and we are continuing to make steps, thanks to the leadership of Senator MURRAY and others.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the time until 11:30 a.m. today be equally divided between the two managers or their designees and that it be in order to call up the following amendments: Daines amendment No. 2110, Warren amendment No. 2120, Brown amendment No. 2099, Portman amendment No. 2147, Manchin amendment No. 2103, Kaine amendment No. 2096, Heller amendment No. 2121, Feinstein amendment No. 2087; that the Toomey amendment be modified with the changes at the desk; further, that at 11:30 a.m., the Senate vote in relation to the amendments in the order listed, with a vote in relation to the Toomey amendment, as modified, after disposition of the Brown amendment, with a 60-affirmative vote threshold for adoption of the Daines amendment, and with no second-degree amendments in order to any of the amendments prior to the votes; that there be 2 minutes equally divided prior to each vote, and that upon the disposition of the Feinstein amendment, the Senate vote in relation to the Fischer amendment No. 2079.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2094), as modified, is as follows:

(Purpose: To ensure that States have policies or procedures that prohibit aiding or abetting of sexual abuse, and for other purposes)

At the end of title IX, add the following:

SEC. ___. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

"SEC. 9539. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

''(a) IN GENERAL.—A State, State educational agency, or local educational agency in the case of a local educational agency designated under State law, that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the person or agency knows, or recklessly disregards credible information indicating, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor in violation of the law.

''(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the credible information described in such subsection—

''(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

''(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

''(2)(A) the case has been officially closed or the prosecutor with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor;

''(B) the school employee, contractor, or agent has been charged with, and exonerated of, the alleged misconduct; or

''(C) the case remains open but there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

''(c) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.

''(d) Construction.—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor in violation of the law in obtaining a new job.''.

Mr. ALEXANDER. Mr. President, for the information of Senators, we expect the first four amendments in this series to require rollcall votes, with the rest of the amendments being adopted by a voice vote.

I thank the Senator from Washington for working with us to create this agreement.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2094, AS MODIFIED

Mr. TOOMEY. Mr. President, I wish to speak about my amendment, which is part of the unanimous consent agreement that was just agreed to. I have a number of thank yous I need to go through.

I will start by thanking the cosponsors of this amendment, starting with Senator MANCHIN, who has been with me in this battle for a very long time now. But I wish to thank the other cosponsors, including Senators MCCONNELL, ALEXANDER, COTTON, CAPITO, GARDNER, HELLER, INHOFE, JOHNSON, MCCAIN, ROBERTS, and VITTER.

I am on the floor of the Senate to explain to people what we have done and are going to vote on later today. I believe that this amendment is very constructive, and I am very optimistic and hopeful this will pass.

This amendment is based on a bill that I introduced with Senator MANCHIN over a year and a half ago, which was called the Protecting Students from Sexual and Violent Predators Act. I have spoken about this a number of times because I feel very strongly about this. The fact is that while the overwhelming majority of our school employees across America are wonderful people and some of the great role models of our lives, it is also a fact that there are predators in our schools. That is a sad fact, but it is true. We know this for many reasons, not the least of which is that last year alone there were 459 school employees arrested across America for sexual misconduct with the kids that they are supposed to be protecting.

So far this year we are on a path of arresting people at a rate that exceeds that of last year. We know this is a huge problem.

It came to my attention because of the absolutely horrific story of a young boy named Jeremy Bell. Sadly, that story began in Pennsylvania, where a teacher was molesting the students under his charge. He was molesting little boys. The school figured out what was going on and reported it to the authorities. But as much as they wanted to, the authorities were never able to assemble enough evidence to mount a prosecution. So the school did something despicable. What the school decided to do was to make this predator someone else's problem. So they wrote a letter of recommendation and said: You just leave, take this letter with you, and find employment elsewhere.

Well, this is a pedophile. This is a predator they did this for, and of course he left and became someone else's problem. He was hired in West Virginia as a schoolteacher. Eventually, he became principal, and of course, he serially molested the children in that school, finally culminating in the rape and murder of a little boy named Jeremy Bell.

The practice of sending a letter of recommendation on behalf of a known predator is so appalling that most of us can't imagine anyone would do it. But the sad truth is that it has happened so frequently that it even has a name. It is called passing the trash. In prosecution circles and in the circles of people who are advocates for children who are victims of these horrendous crimes, they know this all too well. Passing the trash is all too common a practice as a way for schools to make these predators someone else's problems.

Well, the initial amendment that I filed this bill, mirroring the legislation that Senator MANCHIN and I introduced, attempted to deal with this problem in two ways. One, in the first place, was to establish a thorough Federal standard for background checks for school employees, and the second was to have a prohibition against passing the trash—to make it illegal for someone to knowingly recommend for hire a sexual predator.

As for the first part, the background check part, we have had disagreements among ourselves as to how to do that and whether to do that. There have been deep disagreements, and despite many conversations with my colleagues, we have not been able to reach an agreement on how to proceed on that. I am disappointed that we have not reached an agreement, but I understand that we don't have the votes to pass that portion. So I have agreed to put that aside for now. I have not agreed to abandon this cause of establishing the most rigorous possible background checks, but we will have that fight another day and hopefully at a time when we have the votes to pass it.

What is really terrific news is that we have reached an agreement on the other part of our legislation, the part that prohibits this despicable, horrendous practice of passing the trash—the very action that enabled the predator to get the job that enabled him, in turn, to rape and kill young Jeremy Bell. Having reached this agreement, I am confident that we will be able to pass this amendment later today. If we do, it will be the first time that the Senate has established that this despicable practice will no longer be tolerated anywhere in the country.

This is a huge victory for America's children. It is as simple as that. When we pass this in the Senate, and when it eventually becomes law, which I am confident it will, the fact is our kids are going to be safer. There are a lot of States that already have some legislation that prohibits passing the trash within their State, but no State can force another State to forbid this practice from coming across the line and into their State. That is why this always needed a Federal response, and I am really thrilled that today I think we are going to have that Federal response.

I need to thank a lot of folks. I see my colleague from West Virginia has joined us, and I will start with him. Senator MANCHIN has been a great partner in this effort since we started over a year and a half ago. I am sure he will have something to add about this entire process.

I also wish to thank the chairman of the committee, Senator ALEXANDER, and Ranking Member MURRAY for all of the help they have provided in getting us to this place. In particular, I have to thank Senator ALEXANDER and his staff, together with my staff. I also have to mention Dimple Gupta, who has worked tirelessly on this issue.

We had many long and often difficult conversations. We started in what seemed like irreconcilable differences about this topic. But because we persisted and everybody approached this in a cooperative fashion, despite the stiff opposition that there was at times, we were able to find common ground.

I also need to acknowledge some outside groups that made it possible for us to find this common ground: the National Children's Alliance, the Association of Prosecuting Attorneys, many child advocate groups across Pennsylvania and across the country, law enforcement groups, and prosecutors. Even the American Academy of Pediatricians has been helpful in getting us here.

I will close with this: This is exactly the way the Senate is supposed to work. This is the way it is supposed to happen. As people who share a common vision, we all want to make sure our kids are in the safest possible environment when they go to school. We started with wildly different views about how to get there. When the Senate is working well, it works exactly as it is working now with regular order on the Senate floor, going through the committee process, and having a ranking member and a chairman who are willing to work with individual Members on their priorities. People came together to figure out where their common ground was, how to get this done, and how to put the interest of their constituents, the American people—and in this case our kids and grandkids—ahead of political considerations.

I am really thrilled that I think we have reached that point on this really important amendment. So I urge all of my colleagues to support this amendment. I hope it will have very broad support. I want to say thanks to all of the colleagues who helped to make this happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, let me say to my colleague, Senator TOOMEY from Pennsylvania, that I have enjoyed working with him on many ventures, if you will, but this is one that is particularly gratifying now that we have finally come to an agreement. I think it is bipartisan all the way. I think it will pass. It makes all the sense in the world. It was Jeremy Bell from my State of West Virginia who was the victim of this tragic crime that could have been prevented if we had just known. That is what this is all about. As Senator TOOMEY has said, we are not going to give up on making sure we can find out who these perpetrators are, if they have a record we can follow and trace and keep them out of the school system before they ever begin their careers. That is a situation on which we will continue to be very vigilant.

Again, I thank Senator TOOMEY for his commitment and his hard work. His staff and our staff enjoyed working together. We will continue to work on many endeavors that will benefit most importantly the children of this great country of ours in our respective States.

I thank Senator ALEXANDER and Senator MURRAY for including my amendment—another amendment I will be speaking about—to promote volunteerism and community service. This is an issue about which I feel very strongly. I go all over the State of West Virginia and speak in different parts of the country, and I speak to young people and ask them if they feel as if they own the country.

I say: Do you have ownership? Do you believe this is your country?

They look at me very strangely. They really don't feel as though they have ownership.

I ask them: In the Constitution and in the preamble where it says a government of the people, by the people, and for the people, whom are we speaking about? It is you. It is your government. You own it. What have you done to invest in it? Are you taking care of it? Are you doing preventive maintenance?

I am often reminded of the five promises that were made, which were started by Colin Powell and his five promises committee. It is an idea that my wife and I, when I was Governor of West Virginia, endorsed. We have a five promise program that we still support in West Virginia.

The five promises are simply these:

Every child when they are born into this world should have a loving, caring adult in their life, somebody who unconditionally loves them. Sometimes, unfortunately, it is not always the biological parents or the biological family, but every child deserves to have unconditional love.

Second, every child must have a safe place where harm can't enter their life, where they know they will be kept safe. Every child deserves that.

Third, every child deserves a healthy start. We know that nutrition is important and basically the ability to provide good nutrition. Sometimes, because of economic conditions, the opportunity doesn't always exist. That is a responsibility we have as the greatest country on Earth, the superpower that we are. Every child should have a healthy start.

Fourth, every child should grow to earn a skill, learn a skill, be able to obtain a skill that will carry them to be a successful adult in life.

I will speak about the fifth promise in just a moment.

Giving back to our communities, contributing our time and services to improve our world—this is something everybody can do. We can't use the excuse of ''I am sorry, my family is not wealthy enough for me to do something''—that is not an excuse—or ''I am sorry, I live in a rural area where I just don't have that available to me.'' There is a need everywhere in the world. In every part of this great country, there is a need for people to give something back and do something to contribute, to reach out and help somebody of lesser means, or maybe they don't have any assistance whatsoever in their life. There is an opportunity for every person to give.

I learned from my grandparents. I watched them open up their home and make sure there was always a bed for a stranger, make sure there was always food, and make sure there were a few rules we had to live by. You couldn't swear when there were too many young children around, you couldn't drink, and you had to work and provide something. If that was the case, then my grandparents took care of you and they wanted to share with you. They are pretty simple rules to live by.

Unfortunately, true public service is not there. We for some reason have thought it was somebody else's responsibility to take care of—just offer a government program, a Federal or State program. What happened to reaching across the room, if you will, or reaching across your town or your community or your State to help people? Our world is different, but our commitment to our neighbors shouldn't be. That is one value that doesn't change. One person can still have a meaningful impact on another person's life. We know that.

My amendment with Senator SHAHEEN basically aims to counter this trend by giving every school the flexibility to use their Federal funding on programs that promote volunteerism and community service. That is all. It is optional. It is not mandatory. But if one believes that is such an intricate part of our responsibility as an educator, to make sure these young people have a chance to get into a food bank or a food pantry or a homeless shelter or a senior citizen opportunity to help people in need, or a nursing home—given that chance, they can use some of those resources they will have through this updated bill we are about to pass, which I think is historical and much needed—this amendment will allow them to do that. That is all we have asked for.

I am very appreciative that both Chairman ALEXANDER and Ranking Member MURRAY have accepted this.

My amendment today is part of keeping General Powell's fifth promise. I

spoke about the four promises. The fifth promise is this: Every child should grow to be a loving, caring adult and give something back. We can't teach that one. People have to earn that one. People have to learn that for themselves. Sometimes people are able to get it from where they live, the family they live with, the community around them. Sometimes people see it and they know it is the right thing to do. This is going to provide an opportunity in an educational setting to find one's lot in life, to be able to give something back, to be able to grow into a loving, caring adult. That is what this is all about.

So I believe very strongly in this amendment. I believe very strongly that it is going to help the youth of America to be able to be Americans and what is expected of us as Americans—to help one another.

I would say that an investment in community service pays off both for our students and our communities. In 2013, that 1 year, U.S. taxpayers invested $1.7 billion in our national service programs that we have to date. The total social return on this investment is estimated to be $6.5 billion—almost a 4-to-1 return in the value we receive back as a society. I don't think we can get a better return on an investment than having the youth of America being able to give something back and learn that fifth promise to be a caring, loving adult and be able to carry this tradition on.

With that, I appreciate very much the chairman and the ranking member accepting this amendment. I think it will greatly help the school systems of America to be able to be involved in volunteerism, without social media but truly hands on. So I think this is something we need. I am appreciative, and I thank my colleagues.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from West Virginia. He was just speaking about a need for us to support our young people. In essence, what he was saying is they can use their God-given abilities to be able to give back, and that is what the amendment I wish to speak to is all about.

I appreciate the fact that the chairman and ranking member have agreed to take a look at this amendment. In fact, my understanding is that Senator ALEXANDER is going to be offering this amendment later. This amendment has to do with substance abuse. It has to do with our young people. Unfortunately, we are seeing a younger and younger age of first use of drugs. We are seeing also, unfortunately, more and more young people who struggle with addiction.

In the legislation and in the underlying law, there are provisions for prevention, and that is incredibly important. If we can get our young people not to go down this road, we can avoid some devastating consequences to them and to their future, to their families, and to their communities.

If we look at the use today, in my home State of Ohio—I was just home the day before yesterday at a conference on this issue of heroin use and prescription drug use by our young people. It is growing. It is a huge problem. The No. 1 cause of death now in Ohio is overdose from these drugs. It is no longer car accidents, as it has been in the past. We must focus on this issue, and the most effective way, of course, is through prevention and education, which I strongly support, and it is in the underlying bill.

What is not in the bill, though, is to provide support services for our young people should they be struggling with addiction. This is incredibly important. So the legislation I am offering along with Senator WHITEHOUSE simply provides recovery and support services for our young people who fall victim to the dangers of drugs. We have a responsibility to do this, in my view, again not just to focus, as the underlying legislation does, on drug prevention and early intervention but also to focus on providing these important recovery services to students in schools and communities so they could overcome their addiction and achieve their God-given abilities and again be productive members of society, which the Senator from Pennsylvania and the Senator from West Virginia were speaking about. I encourage my colleagues to support this amendment.

The second amendment I wish to speak about that I understand also may be offered later and included in a package—and I appreciate the chairman and ranking member taking a look at this—has to do with homeless youth. This is an amendment which basically enables us to streamline the current process, where it is very difficult to establish that somebody is homeless. In fact, under our current law, one has to go through quite a process with HUD, the Department of Housing and Urban Development. I am told there are sometimes up to maybe 10 or 12 different documents one has to go through. This streamlines the process and allows the counselors who are already in the schools to be able to make the determination to help get services to these kids.

Homeless youth in America is now at an alltime high. We are told that 1 in 45 children is homeless each year. By the way, that is 1.6 million children. So I hope this amendment, which is amendment No. 2087, to help homeless youth will also be one we will be able to take up here on the floor. Senator FEINSTEIN and I are offering it together. It is one that is bipartisan, and it is one that will help foster greater community collaboration between agencies and departments by streamlining the process and allowing these counselors who are already in the schools to get the training they need to be able to support these kids, to more quickly identify them and provide the services they need.

I thank my colleague from Montana for allowing me to speak about these two very important amendments. I thank Senator MURRAY and Senator ALEXANDER for giving this very serious consideration in the legislation. I hope these amendments can be adopted on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 2110 TO AMENDMENT NO. 2089

Mr. DAINES. Mr. President, I ask to set aside the pending amendment in order to call up amendment No. 2110.

The PRESIDING OFFICER. The amendment is set aside.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Montana [Mr. DAINES] proposes an amendment numbered 2110 to amendment No. 2089.

Mr. DAINES. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students)

After part B of title X, insert the following:

PART C—A PLUS ACT

SECTION 10301. SHORT TITLE; PURPOSE; DEFINITIONS.

(a) SHORT TITLE.—This part may be cited as the ''Academic Partnerships Lead Us to Success Act'' or the ''A PLUS Act''.

(b) PURPOSE.—The purposes of this part are as follows:

(1) To give States and local communities added flexibility to determine how to improve academic achievement and implement education reforms.

(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

(c) DEFINITIONS.—

(1) IN GENERAL.—Except as otherwise provided, the terms used in this part have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.).

(2) OTHER TERMS.—In this part:

(A) ACCOUNTABILITY.—The term ''accountability'' means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

(B) DECLARATION OF INTENT.—The term ''declaration of intent'' means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

(C) STATE.—The term ''State'' has the meaning given such term in section 1122(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(e)).

(D) STATE AUTHORIZING OFFICIALS.—The term ''State Authorizing Officials'' means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

(i) The governor of the State.

(ii) The highest elected education official of the State, if any.

(iii) The legislature of the State.

(E) STATE DESIGNATED OFFICER.—The term ''State Designated Officer'' means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

SEC. 10302. DECLARATION OF INTENT.

(a) IN GENERAL.—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.—

(1) SCOPE.—A State may choose to include within the scope of the State's declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in the Elementary and Education Secondary Act of 1965 (20 U.S.C. 6301). A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(2) USES OF FUNDS.—Funds made available to a State pursuant to a declaration of intent under this part shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

(3) REMOVAL OF FISCAL AND ACCOUNTING BARRIERS.—Each State educational agency that operates under a declaration of intent under this part shall modify or eliminate State fiscal and accounting barriers that prevent local educational agencies and schools from easily consolidating funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.

(c) CONTENTS OF DECLARATION.—Each declaration of intent shall contain—

(1) a list of eligible programs that are subject to the declaration of intent;

(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

(3) the duration of the declaration of intent;

(4) an assurance that the State will use fiscal control and fund accounting procedures;

(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged;

(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State; and

(8) an assurance that in implementing the declaration of intent, the State will seek to use Federal funds to supplement, rather than supplant, State education funding.

(d) DURATION.—The duration of the declaration of intent shall not exceed 5 years.

(e) REVIEW AND RECOGNITION BY THE SECRETARY.—

(1) IN GENERAL.—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

(2) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

(f) AMENDMENT TO DECLARATION OF INTENT.—

(1) IN GENERAL.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

(2) AMENDMENTS AUTHORIZED.—A declaration of intent that is in effect may be amended to—

(A) expand the scope of such declaration of intent to encompass additional eligible programs;

(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

(C) modify the duration of such declaration of intent; or

(D) achieve such other modifications as the State Authorizing Officials deem appropriate.

(3) EFFECTIVE DATE.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

(4) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State's use of funds made available under the program.

SEC. 10303. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

(a) IN GENERAL.—Each State operating under a declaration of intent under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State's determination of student proficiency, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this part.

(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)); and

(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

SEC. 10304. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

SEC. 10305. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881).

Mr. DAINES. Mr. President, as a fifth-generation Montanan, a product of Montana public schools, a husband of an elementary school teacher, and the father of four children, including one of them who has a degree in elementary education, I understand how important a first-rate education is to our kids' future.

As I meet with parents and educators across Montana, they frequently share concerns about the one-size-fits-all student performance and teacher qualification metrics that currently dictate Federal funding as part of No Child Left Behind. While well-intended, many of these metrics have proven difficult for schools in rural areas to achieve.

As the Senate debates the Every Child Achieves Act to reform our Nation's education policies, one of my priorities will be fighting to increase local control over academic standards and education policies and working to push back against burdensome Federal regulations that often place our schools in a straitjacket.

For example, the U.S. Department of Education has incentivized States to adopt common core standards by offering exemptions from No Child Left Behind regulations and making extra Federal education funds accessible through programs such as Race to the Top to States that adopt common core. However, as are many Montanans, I am deeply concerned that the Federal Government's obvious efforts to back States into adopting such programs is an inappropriate interference in education policy decisions that should be made by the States, should be made by the parents, by the teachers, and local school boards.

If we are serious about wanting to make future generations as fortunate as ours, it is critical that we prepare our children to excel in a globally competitive economy. Our children should

receive a well-rounded education that focuses on core subjects, including reading, writing, science, and math, as well as technical and vocational disciplines and training in the arts.

It is clear that the Federal Government's one-size-fits-none approach isn't working. That is why I am introducing the academic partnerships lead us to success amendment, or A-PLUS for short. It is an amendment to the Every Child Achieves Act. I thank the chairman and the ranking member, Senator ALEXANDER and Senator MURRAY, for allowing a vote on this amendment today.

This measure will help expand local control of our schools and return Federal education dollars where they belong—closer to classrooms. With A-PLUS, the States should be freed and will be freed from Washington unworkable teacher standards. States would be free from Washington-knows-best performance metrics. States would be free from Washington's failed test requirements. States would be held accountable by parents and teachers because a bright light would shine directly on the decisions made by State capitals and local school districts.

With freedom from Federal mandates comes more responsibility, transparency, and accountability from the States. It would empower our States, our local schools, our teachers, and our parents to work together to develop solutions that best fit the unique needs of each child. The A-PLUS amendment goes a long way toward returning responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms.

I thank Senators GRASSLEY, CRUZ, VITTER, JOHNSON, LEE, LANKFORD, BLUNT, CRAPO, RUBIO, and GARDNER for sponsoring my A-PLUS amendment, and I ask my other Senate colleagues to join us in empowering our schools to serve our students, not DC bureaucrats, and support this important amendment.

I see my colleague Senator LEE of Utah is here, and I yield my time for his comments on this amendment.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. I thank the Senator.

Mr. President, the work the Senate is engaged in this week is long overdue. The last time the Elementary and Secondary Education Act was updated was 14 years ago. Congress gave the country No Child Left Behind, a policy that by all accounts has been a failure. That is why in 2012 the Obama administration began offering waivers to States, allowing them to opt out of the coercive and ineffective requirements that No Child Left Behind imposed on America's school districts and classrooms. But State and local school boards quickly learned, just as parents and teachers did, these so-called waivers didn't solve the fundamental problems created by No Child Left Behind; they further entrenched that problem. These weren't waivers in any meaningful sense because they came with a new set of strings attached that only reinforced the authority of Washington, DC, to micromanage the policies and the curriculum of classrooms all around the country. They did not give State and local policymakers the freedom and flexibility to use education funding in a way that would best meet the needs of students and truly empower every child to succeed. No. Instead, they forced teachers, school boards, and State officials to choose between the lesser of two evils—either, on one hand, abide by the Federal mandates of No Child Left Behind or, on the other hand, accept the Federal mandates prescribed by common core and Race to the Top.

The underlying bill we will vote on next week makes the same mistake, and unless it is amended, we can expect it in turn to have the same disappointing results. More kids will be trapped in failing schools, their opportunities in life predetermined by their parents' ZIP Code rather than their God-given talents and their own individual desire to learn and succeed. More teachers can be rewarded on the basis of the number of years they have been on the job rather than on the basis of the number of kids they have helped to graduate. And more parents will regrettably but understandably lose faith in the public education system, knowing it is designed to serve the ideological whims of Federal politicians and Federal bureaucrats instead of the educational needs of their children.

That is why I am here this morning to offer my support and to encourage my colleagues to offer their support for an amendment to the proposed reauthorization of the Elementary and Secondary Education Act, an amendment that would help us avoid the serious mistakes of the past.

The basic premise, the basic animating principle behind the bill before the Senate, as it now stands, and the basic premise, basic principle behind No Child Left Behind and common core is that when it comes to running the classroom, Washington bureaucrats and politicians know better than America's teachers, parents, and local school boards. The principle behind the A-PLUS amendment is essentially the opposite; that no one is in a better position to make decisions about a child's education than his or her parents, guardians, teachers, counselors, and principals. If you believe in this principle as I do—and as experience instructs all of us to do—then you must support the A-PLUS Act because it empowers every child's parents, guardians, teachers, counselors, and principals to make the greatest impact on their education and on their lives, and it would do so without eliminating any Federal mandates—coercive and ineffective though they may be—and would simply give States the choice to opt out of them, no strings attached.

Here is how the A-PLUS act works. If a State's legislators determine that the Federal Government's approach to education reform has not improved academic achievement in their State, they have an alternative. They can submit to the U.S. Department of Education a declaration of intent outlining their State-directed education reform initiatives. In States that choose to opt out, education officials will no longer have to spend all of their time complying with onerous one-size-fits-all Federal mandates. Instead, they will have the freedom and flexibility to listen and respond to the needs and recommendations of parents, teachers, principals, and school boards. They will be able to make their education funds go further by consolidating programs and funding sources, and they will be able to improve the educational opportunities to disadvantaged children by designing their State's policies to be more responsive and more targeted.

This amendment isn't about States' rights so much as it is about children's rights, such as the right to a good education. It would secure those rights by empowering America's teachers and parents to pursue innovative policies, such as charter schools and school vouchers and pay-for-success initiatives that have proven to be successful in classrooms all around the country.

The bill the Senate will vote on next week may be well-intentioned in its reauthorization of the Elementary and Secondary Education Act, but it misdiagnoses the problem of the status quo. Our education system needs to be reformed, not in spite of excessive Federal control but because of it. The A-PLUS Act recognizes this fact, and it takes critical steps to rebuild our education policy around it.

I urge my colleagues to support the A-PLUS amendment. The success of America's children depends upon it.

I thank my friend and distinguished colleague from Montana and yield my time back to him.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. I thank the Senator from Utah for his remarks and his insights to empower schools, parents, and States to have more control over their children's future through education. This measure will help expand local control of our schools. It will return Federal education dollars to where they belong; that is, close to the classrooms.

Just before I came down to the floor to speak, I was in my office with some high school students from Montana from communities like St. Regis, Hobson, Missoula, Clyde Park, Stevensville. They are the bright future of our State. As I chatted with them about this amendment, they, too, agreed that by shifting control back to the States, to the local school boards, to the parents, that individual and effective solutions can be created to address the multitude of unique challenges facing our schools and our students across the

country. Through these laboratories of democracy, Americans can watch and learn how students can benefit when innovative reforms are implemented at the local level.

I thank my colleagues, and I urge my Senate colleagues to join us in empowering our schools to serve their students, not DC bureaucrats, and support this important amendment.

I yield back.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Tennessee.

AMENDMENTS NOS. 2147 AND 2121 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Madam President, I ask to set aside the pending amendment to call up the following amendments en bloc: Portman amendment No. 2147 and Heller amendment No. 2121.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes amendments en bloc numbered 2147 and 2121 to amendment No. 2089.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 2147

(Purpose: To promote recovery support services for students)

On page 422, line 22, insert ''recovery support services,'' after ''referral,''.

On page 439, line 16, insert ''recovery support services,'' after ''mentoring,''.

AMENDMENT NO. 2121

(Purpose: To ensure timely and meaningful consultation between State educational agencies and Governors in the development of State plans under titles I and II and section 9302)

On page 800, between lines 17 and 18, insert the following:

SEC. 9115A. CONSULTATION WITH THE GOVERNOR.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9540. CONSULTATION WITH THE GOVERNOR.

''(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 9302.

''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—

''(1) during the development of such plan; and

''(2) prior to submission of the plan to the Secretary.

''(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 9302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature.''.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 2120, 2099, 2103, 2096, AND 2087 TO AMENDMENT NO. 2089

Mrs. MURRAY. Madam President, I ask to set aside the pending amendment in order to call up the following amendments en bloc as provided for under the previous order and ask that they be reported by number: Warren No. 2120, Brown No. 2099, Manchin No. 2103, Kaine No. 2096, and Feinstein No. 2087.

The PRESIDING OFFICER. The clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments en bloc numbered 2120, 2099, 2103, 2096, and 2087 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2120

(Purpose: To amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data)

On page 75, strike line 1 and all that follows through line 4 on page 76 and insert the following:

''(iii) TECHNICAL ASSISTANCE.—Upon request by a State or local educational agency, the Secretary shall provide technical assistance to States and local educational agencies in collecting, cross-tabulating, or disaggregating data in order to meet the requirements of this paragraph.

''(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

''(i) A clear and concise description of the State's accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

''(ii) Information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1), for all students and disaggregated and cross-tabulated in accordance with the following:

''(I) Such information shall be disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care and, within each category of students described in subsection (b)(2)(B)(xi), cross-tabulated by—

''(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

''(bb) any other category of students that the State chooses to include.

''(II) The disaggregation or cross-tabulation for a category described in subclause (I) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

''(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

''(iv)(I) For all students, and disaggregated and cross-tabulated in accordance with subclauses (II) and (III)—

''(aa) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

''(bb) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

''(II) The information described in subclause (I) shall be disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), and, within each such disaggregation category, cross-tabulated by—

''(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

''(bb) any other category of students that the State chooses to include.

''(III) The disaggregation or cross-tabulation for a category described in subclause (II) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

On page 89, between lines 5 and 6, insert the following:

''(5) CROSS-TABULATION PROVISIONS.—

''(A) CROSS-TABULATION DATA NOT USED FOR ACCOUNTABILITY.—Nothing in this subsection shall be construed to require groups of students obtained by cross-tabulating data under this subsection to be considered categories of students under subsection (b)(3)(A) for purposes of the State accountability system under subsection (b)(3) or section 1114.

''(B) CROSS-TABULATED DATA IMPLEMENTATION.—Information obtained by cross-tabulating data under this subsection shall be widely accessible to the public in accordance with paragraph (1)(B)(i)(III) and, upon request, by any additional public means that the State determines.

AMENDMENT NO. 2099

(Purpose: To amend part A of title IV of the Elementary and Secondary Education Act of 1965 to allow funds provided under such part to be used for a site resource coordinator)

On page 447, between lines 16 and 17, insert the following:

''(X) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

''(i) establishing partnerships within the community to provide resources and support for schools;

''(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

''(iii) strengthening relationships between schools and communities; and

AMENDMENT NO. 2103

(Purpose: To enable local educational agencies to use funds under part A of title IV of the Elementary and Secondary Education Act of 1965 for programs and activities that promote volunteerism and community service)

On page 444, strike line 2 and insert the following:

school; or

''(iii) promote volunteerism and community service;''.

AMENDMENT NO. 2096

(Purpose: To add career and technical education as a core academic subject)

On page 759, line 3, insert ''career and technical education,'' after ''music,''.

AMENDMENT NO. 2087

(Purpose: To provide for additional means of certifying children, youth, parents, and families as homeless)

On page 813, line 8, insert before the semicolon the following: '', and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the personnel (including personnel of preschool and early childhood education programs provided through the local educational agency) and the liaison''.

On page 827, strike line 22 and insert the following:

nator.

''(E) CERTIFYING HOMELESS STATUS.—A local educational agency liaison or member of the personnel of a local educational agency who receives training described in subsection (f)(6) may certify a child or youth who is participating in a program provided by the local educational agency, or a parent or family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for the program or service.''; and

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 1740 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WYDEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2110

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote in relation to amendment No. 2110, offered by the Senator from Montana, Mr. DAINES, which is subject to a 60-affirmative-vote threshold for adoption.

The Senator from Montana.

Mr. DAINES. Madam President, the academic partnerships lead us to success amendment—also called A-PLUS—gives States greater flexibility in allocating Federal education funding and ensuring academic achievement. Here is what it does. States would be allowed to obtain Federal education funding in the form of block grants. States would submit a declaration of intent to the Department of Education to consolidate Federal education programs and funding and redirect sources toward State-directed education reform initiatives. What this does is allow State and local leaders to exercise greater control over the use of Federal education funds to address the needs of local students and target scarce resources to areas of highest need.

I ask my Senate colleagues to join me in empowering our schools to serve their students, not DC Democrats, and support this important amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, this amendment is well-intentioned, unnecessary, won't pass, and undermines the bipartisan agreement we reached to try to move in exactly the direction the Senator from Montana suggested. In addition, the House of Representatives rejected it last night.

I recommend instead that my friends who want more local control of the schools vote for our bipartisan agreement, which ends the common core mandate, ends waivers in 42 States, reverses the trend of national school boards, and which, in my opinion, would be the biggest step toward restoring local control to public schools in the last 25 years.

I urge a ''no'' vote on a well-intentioned, unnecessary idea which won't become law and which might help undermine the bipartisan proposal that has a very good chance of becoming law.

Madam President, I ask unanimous consent that the votes following the first vote in this series be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 226 Leg.]

YEAS—44

Ayotte	Boozman	Coats
Barrasso	Burr	Cornyn
Blunt	Cassidy	Cotton
Crapo	Inhofe	Rounds
Cruz	Isakson	Sasse
Daines	Johnson	Scott
Enzi	Lankford	Sessions
Ernst	Lee	Shelby
Fischer	McCain	Sullivan
Flake	McConnell	Thune
Gardner	Moran	Tillis
Graham	Paul	Toomey
Grassley	Perdue	Vitter
Heller	Risch	Wicker
Hoeven	Roberts	

NAYS—54

Alexander	Feinstein	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Hatch	Peters
Booker	Heinrich	Portman
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Sanders
Capito	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Manchin	Stabenow
Cochran	Markey	Tester
Collins	McCaskill	Udall
Coons	Menendez	Warner
Corker	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Murkowski	Wyden

NOT VOTING—2

King	Rubio

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Tennessee.

AMENDMENT NO. 2120

Mr. ALEXANDER. Madam President, if I could have the attention of Senators, I ask unanimous consent that the order relating to the Warren amendment be vitiated and the amendment remain pending while Senator MURRAY and I work with Senator WARREN on the language in the bill.

So we won't be voting on the Warren amendment today, but it will remain pending. That leaves votes on two amendments: Senator BROWN's amendment and Senator TOOMEY's amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2099

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2099, offered by the Senator from Washington, Mrs. MURRAY, for Mr. BROWN.

The Senator from Washington.

Mrs. MURRAY. Madam President, I know Senator BROWN is on his way. But I just want to let Senators know that too often our Nation's students show up to school hungry or lacking adequate school supplies. Many of our teachers, as we know, are really struggling to provide students with an education, while they are also dealing with the compounding problems brought on by poverty.

Site resource coordinators, which this amendment addresses, operate through a community school model, are able to bolster the number of resources in schools, and increase the number of services offered to students and their families.

So what this amendment does is that it would further that goal by allowing

title IV funds to be used for site coordinators.

I thank Senator BROWN for offering this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I remind Senators that this and the next vote are 10-minute votes.

The PRESIDING OFFICER. Who yields time?

Mr. ALEXANDER. I yield back the time.

Mrs. MURRAY. I yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question occurs on agreeing to the amendment.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 227 Leg.]

YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—2

King	Rubio

The amendment (No. 2099) was agreed to.

AMENDMENT NO. 2094, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2094, as modified, offered by the Senator from Pennsylvania, Mr. TOOMEY.

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, this amendment is really very simple. It is designed to protect children from sexual predators. We know we have a problem because every year we arrest hundreds of school employees across the country for the sexual abuse of children who are supposed to be in their care.

This measure will help that problem by a very simple requirement that States pass legislation to prohibit knowingly recommending for hire a teacher who has abused children. This is common sense.

I am very grateful to my colleagues for helping us get here, especially Senator MANCHIN. He has been a great partner in this effort for a long time now. I want to thank Senator ALEXANDER and Senator MURRAY for their work in helping us find the common ground that could get to a great bipartisan solution for a real problem.

I yield to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I appreciate the hard work Senator TOOMEY has put in. Our staffs have worked together. I wish to thank Chairman ALEXANDER and Ranking Member MURRAY for their hard work on this. This young man from West Virginia, Jeremy Bell, was the victim of a crime that was preventable if we had known. We did not know. This person who basically was a predator was passed down to West Virginia without West Virginia having any knowledge at all. This will prevent this from happening anywhere in the country.

I urge all of my colleagues to please support this piece of legislation. This amendment is most reasonable. It will protect your children.

Mr. ALEXANDER. Madam President, I ask for 30 seconds for Senator MURRAY and me to make a brief comment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I want to thank the Senator from Pennsylvania and the Senator from West Virginia for working with Senator MURRAY and me and others to come to a conclusion on this. They feel passionately about it. They have worked hard on it. They deserve credit for that. I am glad to be a cosponsor of it, and I plan to vote for it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I join with the chairman in thanking the Senators from Pennsylvania and West Virginia and for working with our staffs to create this new version. I think this amendment gets at a real problem by ensuring that suspected abusers do not transfer to other States and districts. It is a positive step. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Mr. MANCHIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 228 Leg.]

YEAS—98

Alexander	Fischer	Murray
Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Lee	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—2

King	Rubio

The amendment (No. 2094), as modified, was agreed to.

AMENDMENT NO. 2147

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 2147, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. PORTMAN.

The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senator from Virginia be given 1 minute and the Senator from California be given 1 minute to speak prior to the five voice votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.

AMENDMENT NO. 2096

Mr. KAINE. Madam President, I rise to speak on amendment No. 2096.

CTE is a core academic subject. I grew up working in my dad's ironworking and welding shop. I ran a school that taught kids to be carpenters and welders in Honduras many

years ago, and what I learned is that high-quality technical education is an important part of the educational spectrum. We downgraded it for a number of years, but there is a renaissance now.

What my amendment would do is it would go into the current Federal law and specify that career and technical education programs are core curricula. Originally, English, math, and science were. This bill broadens what is a core curriculum to include computer science and foreign languages. This amendment would make plain that high-quality career and technical education is a core academic subject.

I wish to thank Senators AYOTTE, MERKLEY, SCOTT, BALDWIN, and WARNER as cosponsor. I also thank the chairman and ranking member for bringing this bipartisan bill to the floor.

This is commonsense and bipartisan. I hope it will pass.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 2087

Mrs. FEINSTEIN. Madam President, I rise to speak on amendment No. 2087. It is pretty simple what this amendment would do, and I present it on behalf of Senator PORTMAN and myself. It assures that homeless children have access to HUD housing.

Today, we have 1.3 million children homeless in this country. In my State, we have 310,000. The problem is getting a clear definition of an individual who is homeless. This bill would allow the appropriate authorities in a school to certify that a youngster is homeless, so we don't have a conflict between the HUD certification and the school certification. It is long overdue. I believe it will be helpful. I am very hopeful this amendment will pass with a very big vote.

I thank the Chair, and I thank Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield back our remaining debate time on the final amendments.

The PRESIDING OFFICER. All Democratic debate time is yielded back.

Mr. ALEXANDER. Madam President, I yield back all Republican time.

The PRESIDING OFFICER. All time is yielded back.

VOTE ON AMENDMENT NO. 2147

The question is on agreeing to amendment No. 2147.

The amendment (No. 2147) was agreed to.

VOTE ON AMENDMENT NO. 2103

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2103.

The amendment (No. 2103) was agreed to.

VOTE ON AMENDMENT NO. 2096

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2096.

The amendment (No. 2096) was agreed to.

VOTE ON AMENDMENT NO. 2121

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2121.

The amendment (No. 2121) was agreed to.

VOTE ON AMENDMENT NO. 2087

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2087.

The amendment (No. 2087) was agreed to.

VOTE ON AMENDMENT NO. 2079

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2079.

The amendment (No. 2079) was agreed to.

The PRESIDING OFFICER. The majority leader.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Senate the House message accompanying H.R. 1735.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 1735) entitled ''An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes,'' and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

ORDER OF PROCEDURE

Mr. MCCONNELL. I ask unanimous consent that notwithstanding rule XXVIII, that the time until 1:45 p.m. today be divided between the managers or their designees and that at 1:45 p.m., all postcloture time be expired and that the Senate vote on the motion to invoke cloture on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735; further, if the compound motion is agreed to, Senator REED of Rhode Island or his designee be immediately recognized to offer a motion to instruct the conferees; and that there be 2 minutes of debate equally divided on that motion, and following the disposition of that motion, the Senate resume consideration of S. 1177.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

SANCTUARY CITIES

Mr. VITTER. Madam President, I rise to discuss the very significant issue of sanctuary cities.

Obviously, we have all been startled and saddened by the horrific murder in San Francisco that is a direct result of San Francisco's sanctuary city policy. As a result, I will be filing an amendment today on this bill to address sanctuary city policy.

This is not a new idea for me. It is not a new issue. I have had legislation on this topic since 2009. I have tried to get the attention of the U.S. Senate and the attention of others on this topic numerous times since then. I have only been able to get one vote on an appropriations bill. Unfortunately, my amendment to try to end sanctuary city policy around the country was tabled, with every Democrat, sadly, voting to table the amendment, except my then-Democratic colleague Senator Mary Landrieu.

I hope the very tragic murder of Kathryn Steinle in San Francisco—a wonderful 32-year-old woman—gets all of our attention and causes all of us to focus on this very serious issue. As we all know, her murderer was an illegal alien who was deported five times previously. As we all know, he was an illegal alien who was convicted of felonies seven times previously. As we all know, it is because of San Francisco's sanctuary city law, defying Federal law, that caused local police officials there not to cooperate with U.S. Immigration and Customs Enforcement officials to hold this dangerous criminal for further deportation proceedings.

Obviously, there are a lot of things wrong with our immigration system that this case illustrates. The fact that he could come back into the country so many times, having been deported, is a real red flag. But certainly this also underscores the truly dangerous nature of sanctuary cities policy.

Unfortunately, San Francisco is not alone in promoting this ridiculous policy. There are over 200 cities now that

defy Federal law and provide this safe haven to illegal immigrants, including very dangerous illegal immigrants such as the murderer of Kathryn Steinle. For years, leaders in this city have argued that providing such a sanctuary assists local law enforcement in doing their job. Really? Really? We are going to look at this case in San Francisco and keep up those ridiculous arguments? Let's get real. Let's call these policies to a halt. They are contrary to existing Federal law, but the problem is we have never put teeth in that existing Federal law. It is absolutely time we did so.

This horrible murder in San Francisco isn't the only one of its kind. Just last week, an 18-year-old girl and her 4-year-old son were found shot and burned in their car. Right now, the top suspect is the woman's boyfriend, an illegal immigrant who was deported in 2014, who illegally reentered the country. In my home State of Louisiana, we have identified serious felons who have been released from jail and are now free to roam in Louisiana. We know of these cases.

Now, I hope this recent incident in San Francisco does get some folks' attention. There is hopeful evidence about this. In a statement following the shooting, Hillary Clinton said that any city should listen to the Department of Homeland Security and fully cooperate with their law enforcement and deportation work. Even before the incident in a hearing before the House Oversight and Government Reform Committee, the Director of Immigration and Customs Enforcement Sarah Saldana described the adverse effects of sanctuary city policy. She said that a significant factor affecting efforts to deport illegal immigrants ''has been the increase in state and local jurisdictions that are limiting their partnership, or wholly refusing to cooperate with ICE immigration enforcement efforts. . . . [I]n certain circumstances we believe such a lack of cooperation may increase the risk that dangerous criminals are returned to the streets, putting the public and our officers at greater risk.''

Well, yes, we saw the direct result of that dangerous, reckless sanctuary city policy in San Francisco recently.

Right now there are nearly 170,000 convicted criminal aliens who have been ordered deported who remain at large in our country. The question for sanctuary cities is, Are they going to continue to protect those people or are they going to finally cooperate with immigration enforcement officials to do something about rounding up those people, not allowing them to roam on our streets?

We need to change our stance that allows sanctuary cities to get away with being accessories to murder. Let me repeat that. They are getting away with being accessories to murder, and we need to put an end to that.

My legislation, first introduced in 2009, would do that by putting real teeth in Federal law, which does not exist now. My amendment on this bill, which I will be filing today, would do that by putting real teeth into Federal law, which does not exist now. We need to take this up and we need to do something to shut down over 200 sanctuary cities around the country that are clearly endangering the lives and well-being of American citizens.

I urge all of my colleagues to come together to support this commonsense policy. We need to act. The tragic events in San Francisco prove that we need to act.

Six years and waiting on this commonsense proposal from me and others is 6 years and waiting way too long. We need to act now. I urge all of our colleagues to join me and others in doing so.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Rhode Island.

Mr. REED. Madam President, as the Republican leader indicated pursuant to unanimous consent, I will shortly be offering a motion to instruct conferees on the fiscal year 2016 National Defense Authorization Act regarding the inappropriate use of overseas contingency operations funding in this bill.

The motion to instruct I am offering today directs the NDAA conferees to ''insist that the final conference report fully fund the President's budget request for the Department of Defense, including $534.3 billion in base budget funding and $50.9 billion in Overseas Contingency Operations or OCO budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and nonsecurity spending categories.''

This motion to instruct is consistent with the President's fiscal year 2016 budget request for defense, which assumed a resolution to the Budget Control Act, or BCA, dilemma that we have been trying to address. If this BCA situation is resolved, we can remove the threat of sequestration on both the defense and domestic spending. Unfortunately, the bill had to rely upon a budgetary—and it has been described by many people—gimmick by transferring $39 billion from the base budget request for enduring military requirements to the OCO budget, leaving a base budget that is just below BCA levels in order to avoid triggering sequestration.

In the absence of a resolution to the spending caps in the BCA, the administration has stated that any legislation that contributes to locking in massive cuts to nondefense departments and agencies—such as this one—will be subject to a veto.

Now one of my concerns is, when we use this device or gimmick this year, it will pave the way to use it next year and the following year and year after that. So we will have this enduring imbalance between security spending in the Department of Defense and nonsecurity spending in non-Defense Department agencies and a full range of governmental spending. Abusing OCO is completely contrary to the intent of BCA. The BCA was designed to impose proportionately equal cuts on defense and nondefense discretionary spending to force a bipartisan compromise. This approach unilaterally reneges on that bipartisan agreement.

OCO and emergency funding are outside the budget caps for a reason. They are for the costs of ongoing military operations and to respond to other unforeseen events like natural disasters. To suddenly ignore the true purpose of OCO and treat it as a budgetary device or slush fund to skirt the BCA is an unacceptable use for this important tool for our warfighters.

Just to highlight how this OCO gimmick skews defense spending, consider the amount of OCO in relation to the number of deployed troops. Most Americans have a very commonsense approach. If we have lots of troops engaged in operations overseas in Afghanistan, Iraq, and elsewhere, then we need lots of OCO funding as well. In 2008—the height of our nation's troops in Iraq and Afghanistan, over 187,000 troops deployed—we spent approximately $1 million in OCO per troop. Under this bill, we would spend approximately $9 million in OCO for each of our deployed troops in Iraq and Afghanistan.

Simply put, this approach, which circumvents the spirit of the law, is not fiscally responsible or an honest accounting nor is it consistent with the notion of why we created OCO in the first place, to support troops overseas engaged in overseas operations.

There is another point. True national security requires that non-DOD departments and agencies also receive relief from BCA caps. The Pentagon simply cannot meet the complex set of national security challenges without the help of other governmental departments and agencies, including State, Justice, and Homeland Security. In the Armed Services Committee, we heard testimony on the essential role of other government agencies in ensuring our national defense remains strong. The Department of Defense's share of the burden would surely grow if these agencies are not funded adequately.

The BCA caps are based on a misnomer that discretionary spending is neatly divided into security and nonsecurity spending. Let's be clear, essential national security functions are performed by governmental agencies other than the Department of Defense. As retired Marine Corps General Mattis said, ''If you don't fund the State Department fully, then I need to buy more ammunition.''

With regard to the threat from the so-called Islamic State of Iraq and the Levant, or ISIL, Secretary of Defense

Carter told the Armed Services Committee on Tuesday that ''the State Department, the Department of Homeland Security, other agencies that are critical to protecting us against ISIL and other threats, they need resources too. And so that's another reason why I appeal for an overall budget perspective. . . . I really appeal for that, not just for my own department, but for the rest of the national security establishment, I think it's critical.''

According to a poll earlier this year, 83 percent of Americans think ISIL is the No. 1 threat to the United States. It is notable that of the administration's nine lines of effort to counter ISIL, only two, the security and intelligence efforts, reside within the responsibilities of the Department of Defense and intelligence community. The remaining seven elements for our counter-ISIL strategy rely heavily on our civilian departments and agencies.

For example, supporting effective governance in Iraq. We need our diplomatic as well as political experts at the State Department to engage with Sunni, Shia, Kurd, and minority communities in Iraq to promote reconciliation in Iraq and build political unity among the Iraqi people.

Building partner capacity. The coalition is building the capabilities and capacity of our foreign partners in the region to wage a long-term campaign against ISIL, much of what is being carried out by the State Department and USAID.

Disrupting ISIL's finances requires the State Department and Treasury Department to work with their foreign partners and the banking sector to ensure that our counter-ISIL sanctions regime is implemented and enforced.

Exposing ISIL's true nature. Our strategic communications campaign requires a truly whole-of-government effort, including the State Department, Voice of America, USAID, and others. The Republican approach to funding our strategic communications strategy is a part-of-government plan, not a whole-of-government plan, unless we recognize that we have to make adjustments in the BCA caps for every agency in the government.

Another aspect is disrupting the flow of foreign fighters. These foreign fighters are the lifeblood of ISIL. Yet the State Department and key components of the Department of Homeland Security are facing severe cuts, undermining ongoing work with partner nations to disrupt the flow of foreign fighters to Syria and Iraq and to protect our borders here at home.

The sixth line, protecting the homeland. The vast majority of the Department of Homeland Security falls under nonsecurity BCA caps. This further demonstrates that the Republican plan is a misnomer, a gimmick, and an effort to play a game of smoke and mirrors with the American people. They are very critical to our security here at home. Yet they are in that ''nondefense'' part of the budget.

Humanitarian support is critical. It is even more critical as you look at the papers and see there is a huge number of people coming out of Syria. Military commanders will routinely tell you that the efforts of the State Department, USAID, the Office of Foreign Disaster Assistance is critical to our campaign, none of which are considered security activities under the Budget Control Act.

Taken together, this proposal, which is embedded in the underlying legislation, could compromise our broader campaign against ISIL and deprive significant elements of our government of the resources we need to do the job of protecting the American people.

In another respect, adding funds to OCO does not solve and sometimes complicates the DOD's budgetary problems. Defense budgeting needs to be based on our long-term military strategy, which requires the DOD to focus at least 5 years into the future. A 1-year plus-up to OCO does not provide DOD with the certainty and stability it needs when building its 5-year budget. As General Dempsey, Chairman of the Joint Chiefs, testified, ''We need to fix the base budget . . . we won't have the certainty we need'' if there is a year-by-year OCO fix.

On Tuesday, Secretary of Defense Carter told the Armed Services Committee, ''It's embarrassing that we cannot, in successive years now, pull ourselves together before an overall budget approach that allows us to do what we need to do, which is . . . program in a multiyear manner, not in a one-year-at-a-time manner.''

Abuse of OCO in this massive way risks undermining support for a critical mechanism used to fund the increased costs of overseas conflicts. We have to have a disciplined system for estimating the cost and funding the employment of a trained and ready force.

The men and women of our military volunteer to protect and are overseas fighting for American ideals, including good education, economic opportunity, and safe communities. Efforts to support all of these goals will be hampered unless civilian departments and agencies also receive relief from BCA caps.

Our young men and women who are sacrificing their lives overseas, not just to defeat the enemy in the field but to give opportunity for hope and a chance here at home for their brothers and sisters, for their aunts and uncles. Our servicemembers and their families rely on many of the services provided by non-DOD departments, including veterans employment services, transition assistance, housing and homeless support provided by various civilian departments and agencies, impact aid to local school districts administered by the Department of Education, the school lunch program provided by the Department of Agriculture, lifesaving medical research on issues such as traumatic brain injury, post-traumatic stress, and suicide prevention, supported by the National Institutes of Health, health care for retirees and disabled individuals under Medicare, Medicaid services for parents, including military parents and children with special needs. All of these programs that benefit directly men and women in uniform and their families would be restricted, and I don't think that is why they are risking their lives, to see these programs that are helpful to them unnecessarily cut back.

Our national security is also inherently tied to our economic security. The President underscored this point on Monday when he said:

> The reason we have the best military in the world is, first and foremost, because we have got the best troops in history, but it's also because we've got a strong economy and we've got a well-educated population and we've got an incredible research operation and universities that allow us to create new products that then can be translated into our military superiority around the world. We shortchange those, we're going to be less secure.

The NDAA has been accused of not being a funding bill. So we don't have to worry about the budgetary complications. But indeed we do. The stated purpose of the bill is to authorize appropriations for fiscal year 2016 for military activities for the Department of Defense. It is one of the few bills we do every year to directly authorize appropriations. So it is intimately tied to the appropriations, to BCA, and to all of the issues I have talked about.

Indeed, we have said—and the committee has said repeatedly—that we are authorizing money. It is not just suggesting things to do but actually providing real money to the Department of Defense. If we do that, I think we have to do it in a way that does not use this OCO exception this year—and, unfortunately, in the years to come, if we let it happen this year—but that we are transparent, clear, and we put the money in the base budget and we move forward.

I think it is clearly within the scope of the conference. That is why I will be offering this motion to instruct. Everyone I talk to, on both sides of the aisle, with very rare exception, will make an individual strident pitch that we have to fix BCA, that this is not the best approach. I heard that this morning when we had General Dunford before the committee—on both sides of the aisle: These BCA caps are not the right way to fund our national defense and not the right way to fund other elements of government.

We can disagree on funding levels, but there seems to be a strong consensus that the BCA is not working for the benefit of the American people and we have to fix it. Yet we are not fixing it in the legislation that is before us nor are we doing things to help leverage such a discussion and to help us to come together to do what we all claim we want to do, which is to remove those arbitrary caps, avoid sequestration, and contribute to a whole-government approach—not just to national

security but to economic prosperity, to educational opportunity. All of that has to be done not by using these budgetary loopholes not designed for the purpose they are being used for but by sitting down and coming up with sensible legislation.

We did it before with the great work of Senator MURRAY and Congressman PAUL RYAN, and we have to do it again. So I will urge my colleagues to vote in favor, obviously, when this comes up—this motion to instruct—so we send the right message to our conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. May I ask, is the Senate in morning business?

The PRESIDING OFFICER. The Senate is on the message to accompany H.R. 1735.

Mr. COATS. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Madam President, I come down here every week, as the Presiding Officer knows. She is usually in the chair when I am here, listening to my ''Waste of the Week''. I am a little bit later this week than I normally am. But the issue of waste, fraud, and abuse in the Federal Government continues. We have covered a lot of ground on serious issues such as tax fraud and misplaced death records, to the more absurd, such as the federally funded rabbit massages and marketing support for pumpkin doughnuts. Each of those has a pricetag. That pricetag is paid for by the American taxpayer.

I am happy today to be able to announce that one of the items which I highlighted in a previous ''Waste of the Week'' speech has been addressed. In May, my 11th ''Waste of the Week'' speech examined ways to improve compliance measures for higher education tax benefits. I outlined how Congress can fix this problem to achieve $576 million in taxpayer savings.

So that is a former ''Waste of the Week''. It is a great benefit to universities, colleges, and educational institutions across the country because previous laws required them to provide information even when those applying for the particular aid refused to provide certain information. It created a nightmare of paperwork and a nightmare of compliance for those colleges and universities.

So that provision that we brought forward was incorporated into law that has now been passed, signed by the President, and is operative. We not only have saved the taxpayer $576 million, but we have provided universities relief from an unnecessary procedure that consumed an extraordinary amount of time.

Today I want to talk about software licenses. The Federal Government needs to purchase literally millions of these licenses. In order to get the IT, the information technology, working right you have to have the right equipment. In fact, the government spent $80 billion last year on information technology, including these software licenses.

Now, the Office of Management and Budget and the 24 Federal agencies that are covered by the Chief Financial Officers Act of 1990 have very key roles and responsibilities for overseeing IT investment management. Federal law places responsibility for managing investment with the heads of these agencies and establishes chief information officers to advise and assist agency heads in carrying out this responsibility.

Now, there are two Executive orders that have been issued that provide information for these Federal agencies regarding the management of how they go about procuring and managing these software licenses. Executive Order No. 13103 specifies that agencies must adopt procedures to ensure that they are not using this computer software in violation of copyright laws.

Additionally, Executive Order No. 13589 states that agencies must ensure that they are not paying for unused or underutilized IT equipment, software, and services.

Now, the Government Accountability Office has conducted a study, an evaluation of how well this is being managed and implemented. What they found is that in many, many cases it is not happening. Specifically, the Government Accountability Office found that the Office of Management and Budget and the vast majority of Federal agencies lacked adequate policies for managing their software licenses. Of the 24 major Federal agencies that I mentioned before, only 2—only 2 out of 24—had comprehensive policies that included the establishment of clear roles and central oversight authority by managing enterprise software license agreements.

Only 2 out of 24 have lived up to their requirement to manage in the way that these executive orders have ordered. An additional 18 agencies had some type of policy in place, but the Government Accountability Office determined that this simply was not comprehensive enough and effective enough. Four agencies were found to have no policy at all. They totally ignored the mandates of the executive orders.

So these weaknesses in the system result from principally a lack of priority in establishing software license management. Now, this is kind of a technical thing. I certainly admit that I am not fully comprehensive in terms of how all of this IT stuff needs to work. But we hire people who are talented and have the skills necessary to oversee this kind of management. Now, the key here is that the result of not effectively managing this has racked up a cost estimated at $10 billion over a 10-year period of time.

So this is just complying with the executive orders, complying with the procedures that are done by every business in America. But the Federal Government has not complied with the necessary steps to achieve the right kind of management and oversight, and that is costing the taxpayer up to $10 billion. So today we add more to our ever-increasing amount of waste, fraud, and abuse that has been found within the Federal system, and we are moving toward our goal of $100 billion.

There will be more ''Wastes of the Week'' in the future. We hope to reach that $100 billion before we leave here for the August recess, with 3 more weeks before that happens. We are way ahead of schedule. We had hoped to reach the $100 billion by the end of this Congress. But we have determined and found so many examples of waste, fraud, and abuse, that our gauge is climbing much faster than we thought it would.

Look, we have major fiscal problems in this country. It is going to take major decisions relative to how we structure how we spend taxpayers' money. We have had numerous efforts to deal with this in a macro way. All of those have come up short. While I was engaged in all of that before, I have turned my attention to this: Let's see at least if we cannot find savings for the taxpayer in the areas of waste, fraud, and abuse, and document it.

I am pleased, as I said at the beginning of my remarks, that one of those has just been implemented, saving the taxpayers $576 million and saving our colleges and universities and institutions of higher education from a nightmare of paperwork and compliance requirements that they will no longer have to engage in. So we will continue. We will do serious issues. We will look at some absurd things that cause people to say: Why in the world would we ever spend that money in the first place? It is just not responsible leadership and governing.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Madam President, I ask unanimous consent that the remaining time under the current order be divided equally between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the

compound motion to go to conference on H.R. 1735 be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, in just a few minutes, we are going to take a vote on a motion to instruct the conferees on the National Defense Authorization Act that would then basically—if these instructions were agreed to, would actually repeal the Budget Control Act passed by the Senate. It would be a direct repudiation of what—after many hours of debate, some amendments that were passed by the Senate and would, on an authorization bill, require budgetary and fiscal measures which are totally inappropriate.

Basically, the problem that my friends on the other side of the aisle have is that they want equal reductions. They want restoration of funding for both nondefense and defense that is forced by the Budget Control Act.

This legislation that is before the body, which is authorized according to the Budget Control Act—and if the instructions to the conferees were enacted, which is before the body now, that somehow we would then be able to repudiate the Budget Control Act which was passed and we would also be dealing with funding which has nothing to do with the authorization bill.

So my friends on the other side of the aisle have a problem with OCO—the overseas contingency operations—but they are trying to change it on an authorization bill. I wish my dear friends would look at the rules of the Senate. If they have a problem with funding, that is what the appropriations bills are all about.

I urge my colleagues to reject what is obviously an unworkable and unrealistic approach to a problem that I agree is a problem. Sequestration is harming our ability to defend this Nation. But in order to defend the Budget Act—to change the budget that was passed by a majority and now is part of what guided our appropriations bills—that is where their problems should lie.

I urge my colleagues to reject these instructions to the conferees which would basically—I do not see a way that we could possibly confer with the House after passing these kinds of instructions. So I urge a ''no'' vote on Mr. REED's motion to instruct the conferees concerning H.R. 1735. Basically, we would have to take approximately $38 billion worth of authorization out of the authorization bill. So I urge a ''no'' vote.

And I say to my friend and colleague, the Senator from Rhode Island, whom I respect and admire and whose friendship I value, on this issue we simply disagree.

Madam President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Nebraska (Mr. SASSE) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote ''yea.''

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 81, nays 15, as follows:

[Rollcall Vote No. 229 Leg.]

YEAS—81

Alexander	Enzi	Murphy
Ayotte	Ernst	Murray
Baldwin	Feinstein	Nelson
Barrasso	Fischer	Perdue
Bennet	Flake	Peters
Blumenthal	Gardner	Portman
Blunt	Graham	Reed
Boozman	Grassley	Risch
Boxer	Hatch	Roberts
Burr	Heinrich	Rounds
Cantwell	Heitkamp	Schatz
Capito	Heller	Schumer
Cardin	Hirono	Scott
Carper	Hoeven	Sessions
Casey	Inhofe	Shaheen
Cassidy	Isakson	Shelby
Coats	Johnson	Stabenow
Cochran	Kaine	Sullivan
Collins	Kirk	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Lee	Toomey
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Mikulski	Whitehouse
Durbin	Murkowski	Wicker

NAYS—15

Booker	Cruz	Gillibrand
Brown	Franken	Leahy
Manchin	Merkley	Sanders
Markey	Paul	Warren
Menendez	Reid	Wyden

NOT VOTING—4

King	Rubio
Moran	Sasse

The PRESIDING OFFICER. On this vote, the yeas are 81, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

COMPOUND MOTION

The question now occurs on agreeing to the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735.

The motion is not debatable.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT CONFEREES

Mr. REED. Mr. President, I have a motion to instruct conferees which is at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on H.R. 1735 (the National Defense Authorization Act for Fiscal Year 2016) be instructed to insist that the final conference report fully fund the President's budget request for the Department of Defense, including $534.3 billion in base budget funding and $50.9 billion in Overseas Contingency Operations budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and non-security spending categories.

The PRESIDING OFFICER. There is 2 minutes of debate equally divided on the motion.

The Senator from Rhode Island.

Mr. REED. Mr. President, this motion represents what we have heard from the Secretary of Defense and all of our uniformed leaders in the military who are saying that we should budget appropriately, put long-term defense needs in the base budget—$534 billion—and reserve OCO for what it was intended to be—overseas operations. But because of the Budget Control Act, we are using OCO as the device to avoid real budgeting and giving the Department of Defense the real long-term resources it needs.

Not only does this represent what the Department of Defense desires, but it also represents what we need to defend the American people. We need more than just the Department of Defense. We need Homeland Security. We need the State Department. We need Treasury. We need everyone to defend this country.

This approach would begin the discussion and debate, I hope, to get relief from the BCA to move forward and to deal with the threats facing this country in a rational, logical way.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would ask my colleagues to oppose this motion. We have had this discussion a number of times. This defeats the budget, and this isn't the appropriate place to rehash this or to try to do something different. Everything we have been working on has been based on this principle. Incidentally, those budget caps were signed by the President of the United States and said this was an allowable use without breaking the caps and causing sequester.

So we can fund defense, and defense needs to be defended and funded, and it will be under the principles that we have right now, and we can work on other methods as we work on this and other budgets. So I ask that we vote against this and not put this extra burden on the committee that doesn't really have the jurisdiction to do all that is being requested in this motion. We voted it down before. Let's vote it down again.

The PRESIDING OFFICER. The question is on agreeing to the motion to instruct conferees.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 230 Leg.]

YEAS—44

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Kaine	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NAYS—52

Alexander	Cochran	Fischer
Ayotte	Collins	Flake
Barrasso	Corker	Gardner
Blunt	Cornyn	Graham
Boozman	Cotton	Grassley
Burr	Cruz	Hatch
Capito	Daines	Heller
Cassidy	Enzi	Hoeven
Coats	Ernst	Inhofe
Isakson	Perdue	Shelby
Johnson	Portman	Sullivan
Kirk	Risch	Thune
Lankford	Roberts	Tillis
Lee	Rounds	Toomey
McCain	Sanders	Vitter
McConnell	Sasse	Wicker
Murkowski	Scott	
Paul	Sessions	

NOT VOTING—4

Crapo	Moran
King	Rubio

The motion was rejected.

The Presiding Officer appointed Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED, Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE conferees on the part of the Senate.

EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to talk about the important bill before us today, the Every Child Achieves Act, which reauthorizes the Elementary and Secondary Education Act and fixes No Child Left Behind.

I also rise today to talk about the reauthorization of the Export-Import Bank, which is also a very important matter for our country.

I thank Senators ALEXANDER and MURRAY for their great leadership in crafting a bipartisan bill that makes critical updates to No Child Left Behind that will help ensure that all students receive a quality education. They worked together from the very beginning on this important bill, and I think the results show how important it is.

I come to the floor to talk about three amendments in this bill. The Presiding Officer is a cosponsor on one of the amendments, which is about STEM education. I think we all know that in today's global economy, education is key to our economic prosperity. The Senator from North Dakota understands that because our two States, North Dakota and Minnesota, have some of the lowest unemployment rates in the country. We have exciting economies with technological jobs to fill. We are two States that make and invent products which we then export to the world. To keep doing that, America's next generation of innovators will have to be highly trained and highly skilled. We certainly see this in my State. According to the Minnesota High Tech Association, Minnesota will be home to nearly 200,000 technology jobs in the next decade. Part of this is getting young people engaged at an early age.

Today's high school students aren't just competing against students in Milwaukee and Miami, they are competing against students in Munich and Mumbai. If America is going to keep its spot atop the world's high-tech hierarchy, students in our country must receive the best training and education we can provide. That is why Senator HOEVEN and I are working to increase the emphasis on STEM education.

The Klobuchar-Hoeven amendment, modeled after our Innovate America Act, will expand STEM opportunities for more students by allowing school districts to use existing Federal STEM funding to create STEM specialty schools or to enhance existing STEM programs within the schools. Our provision will also ensure that the Department of Education is aligning STEM programs and resources with the needs of school districts and teachers. I understand that it is in the managers' package, and I thank the two leaders for that.

The second amendment is the improving teacher and principal retention. The Every Child Achieves Act includes important reforms to improve the quality of education for students in Indian Country. One challenge that schools serving Native Americans continue to confront is the high rate of teacher and principal turnover and the instability it causes. Turnover hurts school districts with the added cost of rehiring and retraining, and it hurts kids as teachers come and go.

One way to decrease teacher and principal turnover is to boost the professional development these teachers receive. Inadequate professional development and the lack of ongoing support are some of the key reasons why some of our best teachers are leaving. That is why Senator MURKOWSKI of Alaska and I have been pushing a provision to improve teacher and principal retention in schools serving American Indian and Alaska Native students. Specifically, our amendment adds mentoring and teacher support programs, including instructional support from tribal elders and cultural experts, to improve the professional development that teachers and principals in Indian schools receive. This is also in the managers' package, and we appreciate that.

The next amendment deals with chronic absenteeism. We know students can't learn if they are not in school. When I was a prosecutor in Hennepin County, I developed a major truancy initiative to keep kids in school and out of the courtroom. My office worked closely with local schools on a faster, more effective response to truancy problems. That is why my provision in the Every Child Achieves Acts will provide professional development and training to schools to help ensure that teachers, principals, and other school leaders have the knowledge and skills necessary to address issues related to chronic absenteeism.

Truancy is sometimes called the kindergarten of crime because it is truly an early risk factor. I still remember looking at the files of serious juvenile offenders—ones who committed homicide and the like—and I realized the first indication that there was a real problem was truancy. It doesn't just hit in high school; it actually usually

hits in sixth and seventh grade. The more we can do to put a focus on this, the better off we will be not only for public safety but, of course, for the kids' lives.

I again thank Senator MURRAY and Senator ALEXANDER for their tremendous work on this bill.

EXPORT-IMPORT BANK

Mr. President, the other issue, which is somewhat related, as we look at preparing kids for the current economy and the century we are in, is about jobs. It is about moving our economy along. Part of that is making sure we can compete globally not only with education efforts, which is what we are doing this week, but also with financing.

There are over eighty export-import-type banks in developed nations. China's bank currently funds things at nearly four times the amount that the Unites States does. Yet we are seriously now allowing the Export-Import Bank to lapse, and I strongly support reauthorizing the Bank.

I want to thank all of those involved, including Senators CANTWELL, KIRK, HEITKAMP, and GRAHAM, for their strong and impassioned leadership on this issue. I also wish to thank all of my colleagues who have spoken about the importance of this Bank.

Yesterday, a few of us met with the President and senior White House officials to discuss the importance of reauthorizing the Export-Import Bank. America needs to be, as I said, a country that thinks, that invents, that builds things, and that exports to nations. That means the bill we are working on this week, but it also means the financing so those businesses can keep going.

We had a vote here, as we all know, and 65 Senators supported reauthorizing the Ex-Im Bank, and in the House, 60 Republicans are cosponsoring a bill to do the same. We should get it done. We know that when 95 percent of the world's customers live outside of our borders, there is literally a world of opportunity out there for U.S. businesses. We all know that isn't just about Mexico and Canada. It is about the rest of the world, including Asia and the emerging economies in Africa. We can just go all over the world to see opportunities.

In my own State of Minnesota, the Ex-Im Bank has supported $2 billion in exports and helped over 170 companies in the last 5 years alone. Every single year, as the Presiding Officer knows, I have been to all 87 counties in Minnesota so I am able to see firsthand these businesses. I may not be going there to talk about Ex-Im. I have rarely done that, although we have had a few Ex-Im events. I am so surprised when I go to businesses and they say: We have actually grown our exports to 15 percent or it is now 20 percent of our business, and we went to Ex-Im and got financing, and we went to the Foreign Commercial Service and got help. What we are really hurting by letting this lapse and not reauthorizing it are the small businesses.

In my State, 170 businesses used the services of Ex-Im in the last five years. They don't have an expert on Kazakhstan. They don't have a bank down the street in a small town of 3,000 people that is able to explain to them how to get that kind of financing. They rely on the expertise of Ex-Im and, most importantly, they rely on the credit of Ex-Im.

Look at this: Balzar, in Mountain Lake, MN, population of 2,000. As the Presiding Officer knows, we don't have many mountains in Minnesota, but we have a lot of lakes. So we call it Mountain Lake. This is a small business—74 people in a town of 2,000—that has relied on Ex-Im in the past decade to help export its products. Their exports have grown to about 15 percent of their total sales. They export from Canada to Kazakhstan, from Japan to Australia. They are exporting to South Africa.

Ralco, a small animal feed manufacturer in Marshall, is a third-generation family business with distribution to over 20 countries around the world.

Superior Industries in Morris, MN, is a manufacturer of bulk material processing and handling systems. There are 5,000 people in the town, and 500 people in Morris are employed at this company. That would be 10 percent of the town. Thanks to the Ex-Im Bank, they are able to export to Canada, Australia, Russia, Argentina, Chile, Uruguay, and Brazil.

We know this is necessary for small businesses. We know this is important for our country to be on an even playing field. We don't want China to eat our lunch, but if we continue along this way and become the only developed Nation that doesn't have financing authority such as this, we will let them eat our lunch.

At the end of last month when the Ex-Im Bank expired, there were nearly 200 transactions totaling nearly $9 billion in financing pending, and many businesses—90 percent of which are small businesses—are no longer able to use their export credit and insurance to its full extent. I have already talked to businesses that literally have been told: When we were trying to make a deal, our competitors on the other side that were trying to make the next deal said: They are not going to get financing. That country let their Ex-Im Bank expire. Go to a business from this country. Take our business because you know we have steady financing.

This cannot continue.

This is why this is a major priority of the U.S. Chamber of Commerce, a major priority for small business organizations around the country, and a major priority, most importantly, for the workers that work at these companies.

It is critical to move forward. We must reauthorize the Export-Import Bank and make sure our exporters are competing on a level playing field in this global market. We do it with education, thanks to the good work of Senator ALEXANDER and Senator MURRAY, but we also do it by making sure that our businesses have the financing tools they need to succeed.

I urge my colleagues to support the Ex-Im Bank and reauthorize this critical agency as soon as possible.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Minnesota for her contributions to the legislation we are working on. She has been very focused on STEM education and has found creative ways to encourage that, and I thank her for it.

We are hoping within a few minutes to be able to agree by consent to a few bills and call up a few others. So what I would say to the Senator from Arkansas, through the Chair, is if he wouldn't mind going ahead with his remarks and, perhaps, if we are able to, I may ask him to yield for 60 seconds and allow us to do that and proceed with a unanimous consent request. But I don't want to delay the Senator any further with moving ahead with his remarks.

The PRESIDING OFFICER. The Senator from Arkansas.

SANCTUARY CITIES

Mr. COTTON. Mr. President, there are certain policies that should not be controversial. It should not be controversial to expect that the laws of this Nation be enforced—equally, fairly, and fully. It should not be controversial to expect local city governments to refrain from actively frustrating the enforcement of Federal law. It should not be controversial to say that an illegal immigrant and repeat felon who has been deported multiple times should not be set free to again threaten law-abiding Americans, much less be in possession of a weapon.

But in our current debate about immigration, these ideas are indeed controversial when, in fact, they should be matters of simple common sense.

I acknowledge that reasonable people can and do differ on issues such as border security and enforcement and the status of illegal immigrants present in our Nation. But we should not disagree about the importance of the rule of law and the need to protect the safety of the American people. That is why I have introduced an amendment that will withhold Federal immigration and law enforcement funds from any State or city that declares itself a sanctuary for illegal immigrants. If a city directs its law enforcement officers to frustrate Federal immigration law, it should not expect U.S. taxpayers to underwrite that effort.

Last week, a young woman, Kate Steinle, was murdered on a San Francisco pier popular with tourists while walking with her father. It was apparently a random crime, one committed by an illegal immigrant—Juan Francisco Lopez-Sanchez—with a long rap

sheet. Lopez-Sanchez was in the United States despite having been deported five times previously, and he should have been deported a sixth time. Earlier this year, Lopez-Sanchez was in custody of Federal immigration authorities after he finished a Federal prison sentence, and was awaiting deportation after being designated an ''enforcement priority.'' Federal authorities handed him over to San Francisco first so he could face outstanding drug charges and requested that they be notified if San Francisco planned to release him.

San Francisco did in fact release him in April after dropping charges, but it never notified anyone. The city's government simply allowed Lopez-Sanchez to walk free. This is because San Francisco has proudly deemed itself a sanctuary city. It has passed city ordinances barring its officers from assisting the enforcement of immigration law, freeing itself of the most basic responsibility to cooperate with Federal immigration authorities to keep dangerous criminals off the streets and out of the country. Indeed, Lopez-Sanchez has admitted that he goes to San Francisco because it is a sanctuary city.

This is an outrage to anyone who respects law and order. One might think that it would draw a strong reaction from the Obama administration. The administration, after all, has unequivocally declared that the Constitution and our laws do ''not permit the States to adopt their own immigration programs and policies, or to set themselves up as rival decisionmakers based on disagreement with the focus and scope of Federal enforcement.'' That is a direct quote from the administration's legal brief to the Supreme Court arguing against an Arizona law designed to help Federal officers enforce immigration laws. One would think the administration would be at least as tough on sanctuary city laws that openly flout Federal immigration policies and endanger law-abiding citizens. Yet the administration has enabled—even encouraged—these sanctuary cities for years.

Americans have a right to expect that governments at the local, State, and national level will carry out their most basic duty to enforce the law and protect public safety. We should all be able to agree that a family enjoying a public space such as San Francisco's piers should not have to fear being shot dead. We should all be able to agree that criminals who should be deported under our laws should not be set free with impunity.

There should be no sanctuary for hardened criminals in this country.

Mr. President, I yield the floor.

Mr. REID. Mr. President, Nevada is one of the largest States in the country—the 7th largest, to be exact—but we have just 17 school districts. By contrast, California, has over 1,000 school districts.

Among our 17 Nevada districts is the Clark County School District with over 300,000 students. It's the Nation's fifth largest district—where two-thirds of the students are minorities, and one-in-five students is an English-language learner.

For the past decade, Clark County School District has been one of the fastest growing districts in the Nation. In some years, Clark County was opening a new school every month to keep up with the growth.

But northwest of Las Vegas and Clark County is another one of our 17 districts—vast, rural Esmeralda County. Esmeralda County School District is huge, in terms of land. It covers almost 3,600 square miles, but has just four schools and about 80 students. And Esmeralda County is not unique in Nevada. There are other rural school districts in the State with schools that still have one teacher instructing multiple grades—much like the school I attended as a boy.

This diversity of Nevada's school districts makes the State a microcosm of our Nation. So I understand the issues that overcrowded, urban schools face; and I understand the challenges that rural schools must confront. More importantly, I understand that in order to improve education at every school in America, we need a comprehensive approach.

The reauthorization of the Elementary and Secondary Education Act that is before the Senate is a step in the right direction. This reauthorization has been a long time coming.

Congress last reauthorized ESEA with passage of the No Child Left Behind Act in 2001. That expired in 2007. Despite serious efforts to pass a reauthorization in 2011 and 2013 under former Senator Tom Harkin's leadership, we were not able to overcome real policy disagreements on the best way forward. But thanks to the hard and determined work of the chairman and ranking member of the Senate HELP Committee, we are able to begin work on the bipartisan Every Child Achieves Act.

I know it was not easy for the senior Senator from Washington or the senior Senator from Tennessee. I appreciate their efforts. Because of their work, almost 14 years after the last reauthorization, and 8 years after it expired, we finally have a bipartisan bill to strengthen our Nation's schools.

I have many concerns with current Federal education law. It has caused schools to spend too much time testing and preparing for tests. It has led many schools and districts to reduce or eliminate many subjects—such as social studies, music, the arts, and physical education—that are important parts of a well-rounded education. It has led to too many schools—many making real gains in student achievement—to be labeled as failing.

Despite these real flaws that need to be corrected, there are some aspects of current law we need to keep and improve upon. Schools, districts, and States must now make sure all students—including those with disabilities, or those not proficient in English—are making progress. We also have seen real gains in student achievement. Our Nation's high school graduation rate is the highest it has ever been and the achievement gap between minority students and white students is narrowing.

This bipartisan bill does build off some of these successes and addresses many of the flaws in current law. It maintains annual testing requirements, but includes provisions to consolidate tests—helping reduce the number of tests and amount of time students spend taking tests. It continues to require student achievement to be reported by groups of children, including by income, race, English-language proficiency, and for students with disabilities. It makes early childhood education a priority, with a new grant to improve early childhood education access and quality for low- and moderate-income families. It makes important changes to a grant program to help our lowest-performing schools. Most notably, this bipartisan agreement also does not include many of the proposals included in earlier draft bills that would dilute the effectiveness of title I dollars or allow States to reduce their support for education.

This bill is an important first step in strengthening our Nation's schools and ensuring that our children have a world class education. And it is a true compromise—with both sides making concessions to move forward.

We all agreed that improvements needed to be made to our country's education laws. Although Democrats and Republicans have vastly different approaches, through compromise, Senators MURRAY and ALEXANDER were able to craft a balanced bill.

That is not to say that this bill is perfect. We still have work to do. I know that many Senators will have ideas for improving this legislation. I, for one, think we can do more to ensure that our lowest-performing schools make progress, or that we can do more to address schools with persistently low graduation rates. I believe we can do more to expand early learning opportunities and to do more to protect students from bullying. I will also strongly oppose efforts to weaken public schools through voucher programs.

I look forward to a substantive debate on this important bill. After all, helping to ensure that every American child gets a quality education could be among the most important things that the Senate will do during this Congress.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Tennessee.

AMENDMENTS NOS. 2083, 2092, 2108, 2119, 2131, AND 2138 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, Senator MURRAY and this Senator have a small package of amendments that have been cleared by both sides. I ask unanimous consent that the following

amendments be called up, reported by number, and agreed to en bloc: Gardner No. 2083, McCaskill No. 2092, Gillibrand No. 2108, Gardner No. 2119, Casey No. 2131, and Klobuchar No. 2138.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for others, proposes amendments numbered 2083, 2092, 2108, 2119, 2131, and 2138 to amendment No. 2089.

The amendments (Nos. 2083, 2092, 2108, 2119, 2131, and 2138) were agreed to, as follows:

AMENDMENT NO. 2083

(Purpose: To enable local educational agencies to use funds under part A of title I for dual or concurrent enrollment programs at eligible schools)

On page 145, between lines 17 and 18, insert the following:

''(e) USE FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

''(1) IN GENERAL.—A local educational agency carrying out a schoolwide program or a targeted assistance school program under subsection (c) or (d) in a high school may use funds received under this part—

''(A) to carry out—

''(i) dual or concurrent enrollment programs for high school students, through which the students are enrolled in the high school and in postsecondary courses at an institution of higher education; or

''(ii) programs that allow a student to continue in a dual or concurrent enrollment program at a high school for the school year following the student's completion of grade 12; or

''(B) to provide training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in dual or concurrent enrollment programs.

''(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (i) or (ii) of paragraph (1)(A) may use such funds for any of the costs associated with such program, including the costs of—

''(A) tuition and fees, books, and required instructional materials for such program; and

''(B) transportation to and from such program.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

AMENDMENT NO. 2092

(Purpose: Enabling States, as a consortium, to use certain grant funds to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States)

On page 284, between lines 11 and 12, insert the following:

''(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

AMENDMENT NO. 2108

(Purpose: To amend the program under part E of title II to ensure increased access to science, technology, engineering, and mathematics subject fields for underrepresented students, and for other purposes)

On page 369, strike lines 1 and 2 and insert the following:

''(2) improving student engagement in, and increasing student access to, such subjects, including for students from groups underrepresented in such subjects, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students;

Beginning on page 374, strike lines 17 through 22 and insert the following:

''(C) how the State's proposed project will ensure increased access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields (which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students) to high-quality courses in 1 or more of the identified subjects; and

On page 375, strike lines 8 through 12 and insert the following:

''(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in the identified subjects.

On page 377, between lines 22 and 23, insert the following:

''(iii) A description of how the eligible subgrantee will use funds provided under this subsection for services and activities to increase access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in 1 or more of the State's identified subjects. Such activities and services may include after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of such subjects.

On page 381, between lines 4 and 5, insert the following:

''(iv) broaden student access to mentorship, tutoring, and after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of the State's identified subjects;

AMENDMENT NO. 2119

(Purpose: To include charter school representatives in the list of entities with whom a State and local educational agency shall consult in the development of plans under title I)

On page 19, line 22, insert ''public charter school representatives (if applicable),'' before ''specialized''.

On page 95, line 12, insert ''public charter school representatives (if applicable),'' after ''leaders,''.

AMENDMENT NO. 2131

(Purpose: To improve the bill relating to appropriate accommodations for children with disabilities)

On page 39 line 15, insert '', such as interoperability with and ability to use assistive technology,'' after ''accommodations''.

AMENDMENT NO. 2138

(Purpose: To amend the Elementary and Secondary Education Act of 1965 relating to improving student academic achievement in science, technology, engineering, and mathematics)

On page 370, between lines 18 and 19, insert the following:

''(3) STEM-FOCUSED SPECIALTY SCHOOL.—The term 'STEM-focused specialty school' means a school, or a dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, which include authentic school-wide research.

On page 382, line 12, strike the period and insert the following: ''; and

''(viii) support the creation and enhancement of STEM-focused specialty schools that improve student academic achievement in science, technology, engineering, and mathematics, including computer science, and prepare more students to be ready for postsecondary education and careers in such subjects.

Beginning on page 384, strike line 3 and all that follows through line 23 on page 384 and insert the following:

''(c) EVALUATION AND MANAGEMENT.—The Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

''(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a); and

''(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(3) ensure that the Department is taking appropriate action to—

''(A) identify all activities being supported under this part; and

''(B) avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

''(4) develop a rigorous system to—

''(A) identify the science, technology, engineering, and mathematics education-specific needs of States and stakeholders receiving funds through subgrants under this part;

''(B) make public and widely disseminate programmatic activities relating to science, technology, engineering, and mathematics that are supported by the Department or by other Federal agencies; and

''(C) develop plans for aligning the programmatic activities supported by the Department and other Federal agencies with the State and stakeholder needs.

AMENDMENTS NOS. 2161, 2132, AND 2080 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up the following amendments en bloc: Kirk No. 2161, Scott No. 2132, and Hatch No. 2080. And I further ask that Senator MURRAY be recognized to call up two other amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk shall report the amendments en bloc.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for others, proposes amendments numbered 2161, 2132, and 2080 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2161

(Purpose: To ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources, and for other purposes)

On page 69, between lines 16 and 17, insert the following:

''(N) how the State will measure and report on indicators of student access to critical educational resources and identify disparities in such resources (referred to for purposes of this Act as an 'Opportunity Dashboard of Core Resources') for each local educational agency and each public school in the State in a manner that—

''(i) provides data on each indicator, for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A); and

''(ii) is based on the indicators described in clauses (v), (vii), (x), (xiii), and (xiv) of subsection (d)(1)(C) and not less than 3 of the following:

''(I) access to qualified paraprofessionals, and specialized instructional support personnel, who are certified or licensed by the State;

''(II) availability of health and wellness programs;

''(III) availability of dedicated school library programs and modern instructional materials and school facilities;

''(IV) enrollment in early childhood education programs and full-day, 5-day-a-week kindergarten; and

''(V) availability of core academic subject courses;

''(O) how the State will develop plans with local educational agencies, including a timeline with annual benchmarks, to address disparities identified under subparagraph (N) and, if a local educational agency does not achieve the applicable annual benchmarks for two consecutive years, how the State will allocate resources and supports to such local educational agency based on the identified needs;

On page 82, between lines 23 and 24, insert the following:

''(xviii) Information on the indicators of student access to critical educational resources selected by the State, as described in subsection (c)(1)(N), for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), for each local educational agency and each school in the State and by the categories described in clause (vii).

On page 115, after line 25, add the following:

''(3) RESOURCE, SUPPORT, AND PROGRAM AVAILABILITY.—A local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the availability of critical educational resources, supports, and programs, as described in the State plan in accordance with section 1111(c)(1)(N).

AMENDMENT NO. 2132

(Purpose: To expand opportunity by allowing Title I funds to follow low-income children)

After section 1010, insert the following:

SEC. 1011. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

Subpart 2 of part A of title I is amended by inserting after section 1122 the following:

''SEC. 1123. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

''(a) FUNDS FOLLOW THE LOW-INCOME CHILD.—Notwithstanding any other provisions in this title requiring a State to reserve or distribute funds, a State may, in accordance with and as permitted by State law, distribute funds under this subpart among the local educational agencies in the State based on the number of eligible children enrolled in the public schools operated by each local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school, for the purposes of ensuring that funding under this subpart follows low-income children to the public school they attend and that payments will be made to the parents of eligible children who choose to enroll their eligible children in private schools.

''(b) ELIGIBLE CHILD.—

''(1) DEFINITION.—In this section, the term 'eligible child' means a child aged 5 to 17, inclusive from a family with an income below the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce.

''(2) CRITERIA OF POVERTY.—In determining the families with incomes below the poverty level for the purposes of this section, a State educational agency shall use the criteria of poverty used by the Census Bureau in compiling the most recent decennial census, as the criteria have been updated by increases in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics.

''(c) IDENTIFICATION OF ELIGIBLE CHILDREN; ALLOCATION AND DISTRIBUTION OF FUNDS.—

''(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school.

''(2) AMOUNT OF PAYMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the amount of payment for each eligible child described in this section shall be equal to—

''(i) the total amount allotted to the State under this subpart; divided by

''(ii) the total number of eligible children in the State identified under paragraph (1).

''(B) LIMITATION.—In the case of a payment made to the parents of an eligible child who elects to attend a private school, the amount of the payment described in subparagraph (A) for each eligible child shall not exceed the cost for tuition, fees, and transportation for the eligible child to attend the private school.

''(3) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—Based on the identification of eligible children in paragraph (1), the State educational agency shall provide to a local educational agency an amount equal to the product of—

''(A) the amount available for each eligible child in the State, as determined in paragraph (2); multiplied by

''(B) the number of eligible children identified by the local educational agency under paragraph (1).

''(4) DISTRIBUTION TO SCHOOLS.—From amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds to the public schools served by the local educational agency, which amount shall—

''(A) be based on the number of eligible children enrolled in such schools and included in the count submitted under paragraph (1); and

''(B) be distributed in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this part, and not to supplant such funds (in accordance with the method of determination described in section 1117).

''(5) DISTRIBUTION TO PARENTS.—

''(A) IN GENERAL.—From the amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds, in an amount equal to the amount described in paragraph (2), to the parents of each eligible child within the local educational agency's geographical area who elect to send their child to a private school and whose child is included in the count of such eligible children under paragraph (1), which amount shall be distributed in a manner so as to ensure that such payments will be used for the payment of tuition, fees, and transportation expenses (if any).

''(B) RESERVATION.—A local educational agency described in this paragraph may reserve not more than 1 percent of the funds available for distribution under subparagraph (A) to pay administrative costs associated with carrying out the activities described in such subparagraph.

''(d) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Commerce, shall provide technical assistance to the State educational agencies that choose to allocate grant funds in accordance with subsection (a), for the purpose of assisting local educational agencies and schools in such States to determine an accurate methodology to identify the number of eligible children under subsection (c)(1).

''(e) RULE OF CONSTRUCTION.—Payments to parents under this subsection (c)(5) shall be considered assistance to the eligible child and shall not be considered assistance to the school that enrolls the eligible child. The amount of any payment under this section shall not be treated as income of the child or his or her parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

''(f) REQUIREMENTS FOR PARTICIPATING PRIVATE SCHOOLS.—A private school that enrolls eligible children whose parents receive funds under this section—

''(1) shall be accredited, licensed, or otherwise operating in accordance with State law;

''(2) shall ensure that the amount of any tuition or fees charged by the school to an eligible child whose parents receive funds from a local educational agency through a distribution under this section does not exceed the amount of tuition or fees that the school charges to students whose parents do not receive such funds;

''(3) shall be academically accountable to the parent for meeting the educational needs of the student; and

''(4) shall not discriminate against eligible children on the basis of race, color, national origin, or sex, except that—

''(A) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

''(B) notwithstanding this paragraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

''(g) PROHIBITIONS ON CONTROL OF PARTICIPATING PRIVATE SCHOOLS.—Notwithstanding any other provision of law, a private school that enrolls eligible children whose parents receive funds under this section—

''(1) may be a school that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title; and

''(2) consistent with the First Amendment of the Constitution of the United States, shall not—

''(A) be required to make any change in the school's teaching mission;

''(B) be required to remove religious art, icons, scriptures, or other symbols; or

''(C) be precluded from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

''(h) EVALUATION.—Every 2 years, the Secretary shall conduct an evaluation of eligible children whose parents receive funds under this section, which shall include an evaluation of—

''(1) 4-year adjusted cohort graduation rates; and

''(2) parental satisfaction regarding the relevant activities carried out under this section.

''(i) REQUESTS FOR DATA AND INFORMATION.—Each school that enrolls eligible children whose parents receive funds under this section shall comply with all requests for data and information regarding evaluations conducted under subsection (h).

''(j) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A school that enrolls eligible children whose parents receive funds under this section may require such children to abide by any rules of conduct and other requirements applicable to all other students at the school.

''(k) REPORT TO PARENTS.—

''(1) IN GENERAL.—Each school that enrolls eligible children whose parents receive funds under this section shall report, at least once during the school year, to such parents on—

''(A) their child's academic achievement, as measured by a comparison with—

''(i) the aggregate academic achievement of other students at the school who are eligible children whose parents receive funds under this section and who are in the same grade or level, as appropriate; and

''(ii) the aggregate academic achievement of the student's peers at the school who are in the same grade or level, as appropriate; and

''(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

''(2) PROHIBITION ON DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except that a student's parent may receive a report containing personally identifiable information relating to their own child.''.

AMENDMENT NO. 2080

(Purpose: To establish a committee on student privacy policy)

At the end of title I, add the following:

SEC. 1018. STUDENT PRIVACY POLICY COMMITTEE.

(a) ESTABLISHMENT OF A COMMITTEE ON STUDENT PRIVACY POLICY.—Not later than 60 days after the date of enactment of this Act, there is established a committee to be known as the ''Student Privacy Policy Committee'' (referred to in this section as the ''Committee'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of—

(A) 3 individuals appointed by the Secretary of Education;

(B) not less than 8 and not more than 13 individuals appointed by the Comptroller General of the United States, representing—

(i) experts in education data and student privacy;

(ii) educators and parents;

(iii) State and local government officials responsible for managing student information;

(iv) education technology leaders in the State or a local educational agency;

(v) experts with practical experience dealing with data privacy management at the State or local level;

(vi) experts with a background in academia or research in data privacy and education data; and

(vii) education technology providers and education data storage providers; and

(C) 4 members appointed by—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(D) CHAIRPERSON.—The Committee shall select a Chairperson from among its members.

(E) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee and shall be filled in the same manner as an initial appointment described in subparagraphs (A) through (C).

(c) MEETINGS.—The Committee shall hold, at the call of the Chairperson, not less than 5 meetings before completing the study required under subsection (e) and the report required under subsection (f).

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation in addition to any such compensation received for the member's service as an officer or employee of the United States, if applicable.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(e) DUTIES OF THE COMMITTEE.—

(1) STUDY.—The Committee shall conduct a study on the effectiveness of Federal laws and enforcement mechanisms of—

(A) student privacy; and

(B) parental rights to student information.

(2) RECOMMENDATIONS.—Based on the findings of the study under paragraph (1), the Committee shall develop recommendations addressing issues of student privacy and parental rights and how to improve and enforce Federal laws regarding student privacy and parental rights, including recommendations that—

(A) provide or update standard definitions, if needed, for relevant terms related to student privacy, including—

(i) education record;

(ii) personally identifiable information;

(iii) aggregated, de-identified, or anonymized data;

(iv) third-party; and

(v) educational purpose;

(B) identify—

(i) which Federal laws should be updated; and

(ii) the appropriate Federal enforcement authority to execute the laws identified in clause (i);

(C) address the sharing of data in an increasingly technological world, including—

(i) evaluations of protections in place for student data when it is used for research purposes;

(ii) establishing best practices for any entity that is charged with handling, or that comes into contact with, student education records;

(iii) ensuring that identifiable data cannot be used to target students for advertising or marketing purposes; and

(iv) establishing best practices for data deletion and minimization;

(D) discuss transparency and parental access to personal student information by establishing best practices for—

(i) ensuring parental knowledge of any entity that stores or accesses their student's information;

(ii) parents to amend, delete, or modify their student's information; and

(iii) a central designee in a State or a political subdivision of a State who can oversee transparency and serve as a point of contact for interested parties;

(E) establish best practices for the local entities who handle student privacy, which may include professional development for those who come into contact with identifiable data; and

(F) discuss how to improve coordination between Federal and State laws.

(f) REPORT.—Not later than 270 days after the date of enactment of this Act, the Committee shall prepare and submit a report to the Secretary of Education and to Congress containing the findings of the study under subsection (e)(1) and the recommendations developed under subsection (e)(2).

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 2093 AND 2118 TO AMENDMENT NO. 2089

Mrs. MURRAY. Mr. President, I ask unanimous consent to set aside the pending amendment to call up the Franken amendment No. 2093 and the Kaine amendment No. 2118 en bloc.

The PRESIDING OFFICER. Without objection, the clerk shall report.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for others, proposes amendments numbered 2093 and 2118 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2093

(Purpose: To end discrimination based on actual or perceived sexual orientation or gender identity in public schools.)

(The amendment is printed in the RECORD of July 7, 2015, under ''Text of Amendments.'')

AMENDMENT NO. 2118

(Purpose: To amend the State accountability system under section 1113(b)(3) regarding the measures used to ensure that students are ready to enter postsecondary education or the workforce without the need for postsecondary remediation)

On page 56, strike lines 9 through 12 and insert the following:

''(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation, which may include—

''(AA) measures that integrate preparation for postsecondary education and the workforce, including performance in coursework

sequences that integrate rigorous academics, work-based learning, and career and technical education;

''(BB) measures of a high-quality and accelerated academic program as determined appropriate by the State, which may include the percentage of students who participate in a State-approved career and technical program of study as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 and measures of technical skill attainment and placement described in section 113(b) of such Act and reported by the State in a manner consistent with section 113(c) of such Act, or other substantially similar measures;

''(CC) student performance on assessments aligned with the expectations for first-year postsecondary education success;

''(DD) student performance on admissions tests for postsecondary education;

''(EE) student performance on assessments of career readiness and acquisition of industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

''(FF) student enrollment rates in postsecondary education;

''(GG) measures of student remediation in postsecondary education; and

''(HH) measures of student credit accumulation in postsecondary education;

On page 57, line 14, strike ''; and'' and insert '', which may include participation and performance in Advanced Placement, International Baccalaureate, dual enrollment, and early college high school programs; and''.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, July 13, the Senate vote on the following amendments, with no second-degree amendments in order to any of the amendments prior to the votes: Hatch amendment No. 2080 and Kaine amendment No. 2118.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

EVERY CHILD ACHIEVES ACT

Mr. HOEVEN. Mr. President, I thank Senators ALEXANDER and MURRAY for crafting this bipartisan proposal to reform and reauthorize the Elementary and Secondary Education Act, the main source of Federal aid for K-through-12 education.

The Every Child Achieves Act takes many important steps to return the authority of K–12 education back to the States and to the local school districts and directly to those who are best equipped to understand and respond to what it takes to educate our students. Importantly, this bill empowers States to develop their own education accountability plans. Instead of a one-size-fits-all Federal mandate, this bill charges the States to work with teachers, school districts, Governors, parents, and other stakeholders to develop a State-led education plan for all students without interference from Washington.

The bill affirms that the Federal Government cannot dictate a State's specific academic standards, curriculum or assessment. I repeat. The bill affirms that the Federal Government cannot dictate State-specific academic standards, curriculum or assessments. It affirms local control and accountability while maintaining important achievement information to provide parents with information on how their children are performing as well as to help teachers target support to those who are struggling to meet State standards.

We also recognize that science, technology, engineering, and mathematics—or STEM—education continues to play an increasingly important role in preparing our students for the careers of tomorrow.

In North Dakota, STEM education prepares students to fulfill the workforce needs of our dynamic economy, from the high-tech industries in the east to the energy fields in the west. For example, we have one school district, the West Fargo school district, which has created a STEM center for students in grades 6, 7, and 8, and is doing an exceptional job of integrating STEM teaching into the classroom. This school district program started in 2009 with 150 students in the sixth and seventh grades. Since then, it has been expanded to serve eighth grade students as well. They have also created a STEM pathway program at the high school level. The approach focuses on project-based learning that connects their school work to solving real world problems through the engineering and design process.

When Senator KLOBUCHAR and I visited the school this spring, we witnessed students working hands-on with a wide range of technologies at cooperative lab stations, including drones and flight simulators. West Fargo students have received numerous awards and honors, placing first in the Nation in a lunar water recycling design competition sponsored by NASA to excelling in a number of Web page design and robotics competitions around the country.

This education is not just about teaching students more science, math or engineering. This approach reaches across subjects to promote problem solving, collaboration, communication, and critical thinking skills.

The Every Child Achieves Act includes a formula grant aimed at providing State resources to improve STEM education. The Improving STEM Instruction and Student Achievement Program provides grants to States to improve STEM instruction, student engagement, and increased student achievement in STEM subjects. Under this program, States have the ability to award subgrants to projects of their choice to serve high-need school districts or form partnerships with higher education institutions. States can also use these funds to recruit qualified teachers and instructional leaders in STEM subjects or to develop a STEM master teacher corps.

In recent years, North Dakota has chosen to award funds to projects that partner with our State's higher education institutions to provide professional development opportunities for K–12 math and science teachers.

I have worked with Senator KLOBUCHAR to craft amendment No. 2138. Our proposal will give States the option to award those funds to create or enhance a STEM-focused specialty school or a STEM program within a school.

STEM-focused specialty schools or STEM programs within a school are those that engage students in rigorous, relevant, and integrated-learning STEM experiences. Allowing funds to go toward a STEM program within a school will allow successful programs such as those occurring in our State to benefit. It will also encourage other school districts to begin their own programs.

So if a school district would like to better integrate STEM concepts into their teaching practices, this amendment allows those districts to submit a proposal to the State for resources to carry out that plan.

The Klobuchar-Hoeven amendment also requires the Education Secretary to identify STEM-specific needs of States and districts receiving funds and publicize information about those activities. The Secretary is then directed to align Federal STEM activities with State and district needs.

Finally, this amendment directs the U.S. Department of Education to avoid unnecessary duplication of STEM programmatic activities supported by the Department and other Federal agencies. This is important because there are so many disjointed STEM activities and programs throughout our government.

In a May 2015 report, the nonpartisan Congressional Research Service states that despite recent reductions in the number of Federal STEM programs, recent estimates suggest there are still between 105 and 254 STEM programs scattered throughout as many as 15 Federal agencies. These programs account for $2.8 billion to $3.4 billion in spending. These programs have their own distinct requirements and obligations that allow very little collaboration or coordination. We simply want to ensure that States and schools are aware of the existing efforts underway to best utilize public resources.

In conclusion, we believe that this bipartisan amendment should be agreeable to both sides and will strengthen the Every Child Achieves Act. In fact, I have just been informed that both the chairman and the ranking member from the HELP Committee and the

leaders on this Every Child Achieves Act have included our legislation in the manager's package with support from both sides of the aisle.

I want to thank both Senator LAMAR ALEXANDER from Tennessee, who is the chairman of the committee and the sponsor of the bill, as well as Senator PATTY MURRAY from Washington, who is the co-lead on this legislation, for their support of this STEM legislation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I also rise in support of the Every Child Achieves Act and the good work that is being done in a bipartisan way to move elementary and secondary education forward in this country. I applaud Senators ALEXANDER and MURRAY and all HELP Committee members and their staff for the good work that has been done on this bill, which is hugely important to our Nation's children but even more importantly to our economy and our global competitiveness. The fact that we are approaching this in a bipartisan manner creates a lot of hope and optimism.

I speak from a number of roles. I was well educated in public, private, and parochial schools myself. My three children have gone through the Richmond public school system, an urban public school system in Virginia, during the era of No Child Left Behind. So Federal education policy was coming home in their backpack, crumpled up at the end of every day. My wife and I have kind of lived through that with them. My wife is the current secretary of education in Virginia, with the responsibility of carrying out State and Federal education policy. In my own role, as an elected official—as mayor—education was our biggest expenditure, and I visited a school in our city every Tuesday morning. As Lieutenant Governor, in the State budget education was our biggest priority, and I visited schools in all 134 cities and counties in Virginia. Then, as Governor, I had the opportunity—the great opportunity—to work with our State, our teachers, our PTOs, and other educational stakeholders in the Virginia education system, which 50 years ago was one of the weakest in the United States, and I am proud to say is now one of the best in the United States.

I learned a lot as Governor when No Child Left Behind was being implemented in the schools of my State. I saw the good and the bad of No Child Left Behind, and I certainly saw the reason that we need to improve it. That is what the Every Child Achieves Act does.

First, I will speak about the good things of No Child Left Behind. There are two notable good things that, frankly, are critically important we maintain. No Child Left Behind made us disaggregate student data so that we couldn't hide behind averages. Averages can be deceiving. Virginia average test scores are great, but that doesn't mean they are great everywhere in Virginia. So we had to dig in and look at whether minority students were performing well or whether rural students were performing well or urban students. No Child Left Behind helped us to do that and not hide behind averages but really make sure that groups of students were not falling behind either statewide or in the individual cities and counties.

The second thing No Child Left Behind did—which is pretty amazing—was that before No Child Left Behind there was not a standardized definition of graduation or dropout rates in this country. So if you wanted to know how your own city was doing or your own county was doing or your own State was doing, and if you wanted to compare that against anywhere else, you couldn't because everybody was using their own measure. Usually folks would try to fuzz up the data because they were afraid of being held accountable around graduation rates and dropout rates. No Child Left Behind, together with some pioneering work from the National Governors Association, ended up standardizing the definition of graduation and dropout rates, which enabled us to compare and compete with each other.

Not surprisingly, as President Obama discussed in the State of the Union in the early part of 2015, our graduation rates are better than they have ever been because now we can focus on them, we know who is doing well and who is not, and that sense of focus and competition is enabling us to move ahead.

But No Child Left Behind also had some unintended negative consequences. The intense focus on high-stakes testing, which is supposed to help you diagnose and then lead to educational strategies down the road—sometimes testing has become an end in itself rather than a means to an end: better student performance. That creates all kinds of stresses on students and teachers and parents.

Similarly, the focus on disaggregating student data which demonstrates that there are achievement gaps in certain communities, whether it be minority communities or rural or urban areas, has often had the perverse consequence, when coupled with high-stakes testing, of encouraging some of our best and brightest teachers not to want to go into the schools where they are most needed. If they feel as if they will be punished because the test scores are not as high with poor kids, for example, then they will often choose not to go to those schools. That is clearly not what we meant to do with No Child Left Behind, but that has been one of its perverse consequences.

When I was Governor, I had a very funny—now it is funny; it was not funny at the time—argument with the Federal Department of Education. They absolutely insisted that jurisdictions in northern Virginia were administering certain tests wrong to students who don't speak English as their first language at home. Indeed, some of my cities and counties had a strategy of phasing students in. If they were coming from a background where they did not speak English at home, they would be tested in special ways for the first couple of years they were in the school system and then mainstreamed even in the way they were tested.

The Department of Education said: You cannot do that. You cannot do these tests differently.

What I would say to the Department of Education: Hey, let me show you the SAT scores of my Latino students. Let me show you how they are doing when they graduate, that they are some of the highest performing students in the country. Clearly, if you measure it by the outcomes, we are doing it the right way.

But the Department of Education said: Outcomes do not matter to us. We worry about the processes and the inputs and the way you provide the tests.

Well, outcomes should be important. Results should be important. Too often, No Child Left Behind was administered in a way where results did not matter. That is not what should happen.

I applaud Senators ALEXANDER and MURRAY for this bill because I believe the Every Child Achieves Act gives school districts and States the incentive to work for the success of all students but also the flexibility they need to close achievement gaps. The bill maintains critical annual testing requirements to allow us to track progress of students, while letting States set their own goals for improvement. The bill invests in early childhood education, which is critical to give States the authority to determine teacher qualifications in those areas. I am very glad this bill recognizes there are factors other than test scores that determine whether our students will be successful. I applaud this act. I cannot wait to vote for it.

I would like to comment on two amendments I have worked with my team and my staff member Karishma Merchant, who is superb, to put into this bill—some that are already in and some that I think are forthcoming or are in the process on the floor.

The first is the very important challenge of young people, age 16 to 24, who are in the most vulnerable time in their lives to being the victims of sexual assaults. A kid age 16 to 24—that is the most likely period in their life where they would be vulnerable to any kind of sexual assault or sexual misconduct. That is whether they are in school, college, the military, the workforce, or whether they are somewhere else.

We are spending a lot of time working on this issue, but this bill contains an amendment I proposed called the Teach Safe Relationships Act to help tackle this issue. Basically, under the amendment Senator MCCASKILL and I

introduced in February, schools that are receiving title IV funds must report on how they are teaching safe relationship behaviors to students—communication, understanding what coercion is, understanding what consent is, understanding how to avoid pressure, understanding where to go for help. These are matters which we will teach to our students at a younger age so they can keep themselves safe.

I need to give praise on this one—the idea for this came from students at the University of Virginia. I went and visited with them about sexual assaults on campus in December. They told me: We wish we came to campus better prepared to deal with these issues.

I asked them: Well, don't you take sex education classes in high school?

They said: Yes, but the classes are about reproductive biology. There needs to be a little more about safe behavior and relationship strategies.

I thought, what a great idea. That led to the amendment. The amendment has now been incorporated. I praise the students at UVA who put this on my radar screen. I thank Senators ALEXANDER and MURRAY, who worked with me to incorporate this in the base bill. If we teach young kids the right strategies, whether they are in the military or on college campuses or in the workforce or anywhere else, our young students, 16 to 24, will be safer.

The second series of amendments—some have been included and others have been voted on—one today and one will be voted on on Monday night—are amendments dealing with career and technical education.

I was a principal of a school that taught kids to be welders and carpenters. I grew up the son of a guy who ran an iron-working shop. I am a huge believer in career and technical education. Every job in this country does not need the traditional 4-year bachelor's degree. In fact, there are many jobs in this country—and the unemployment rate is still too high—there are many jobs in this country that are going unfilled. We have to bring welders in on foreign visas and other important career and technical fields because we don't adequately promote and celebrate career and technical education. This is similar to the previous speech about STEM.

I have formed a Career and Technical Education Caucus, together with Senators PORTMAN and BALDWIN. We introduced the Career Ready Act. Some portions have already been included in the bill, and another portion will be voted on on Monday night. But the idea is basically to make career and technical education every bit as front-and-center as college prep courses because we want our kids to graduate from high school both college- and career-ready. Career and technical education is an important part of that.

Earlier today, we passed an amendment to make clear that for Federal purposes, career and technical education is not elective, it is core curriculum, because it is core, important education. Nations around the world recognize it. We need to as well.

I have two additional amendments. We will consider one Monday night—the Career Ready Act, which clarifies and encourages but does not require the use of accountability indicators in State accountability plans to promote readiness for postsecondary education and career readiness. Forty-one States already do this. We will encourage more to do it if we pass the career-ready amendment.

Second, I have an amendment that I am still working on and hope to get in on the floor. It is bipartisan by introduction. Senator AYOTTE and I have this. It is to create a middle school career and technical exploration program called Middle STEP. Kids in the middle school years, if they get a broader exposure to the careers that are available to them, they will be better equipped to start picking curricular paths when they go to high school.

I am so passionate about the need for career and technical education because I lived it growing up in my dad's business and teaching kids in Honduras the value of career and technical fields.

Everywhere I go in this country, I have employers who tell me they need workers who are skilled, whether it is allied health professionals, such as EMTs, or culinary training or welding and iron-working training or computer coding. These career and technical fields that require some postsecondary education but not necessarily a 4-year college degree are paths to great livelihoods. We do not often emphasize them enough. This bill will help us do that.

I will close and say this: It has been 13 years since Congress reauthorized the Elementary and Secondary Education Act. It is time to update No Child Left Behind, and this is good work to do it.

President Kennedy said in a message to Congress in 1961—and these words still ring true:

> Our progress as a nation can be no swifter than our progresses in education. Our requirements for world leadership, our hopes for economic growth, and the demands of citizenship itself in an era such as this all require the maximum development of every young American's capacity.

That is almost a great 20th-century paraphrase of what a Virginian, Thomas Jefferson, said in the 1780s:

> Progress in government and all else depends upon the broadest possible diffusion of knowledge among the general population.

Those words were true then. Senator Kennedy's words are true. Education is still the path to success for an individual or for a community and nation. We will advance the cause of education and the cause of success if we pass the Every Child Achieves Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to take this time to thank Senators ALEXANDER and MURRAY on the bill that is before our body, the Every Child Achieves Act. It is so important that we focus on this area of education.

Two important provisions I asked to be included have been included in the bill. I want to specifically talk about those and again thank both Senators for including those important initiatives in this important bill.

One of them is the reauthorization of afterschool programs—something I have worked on my entire life in Congress. It goes back a very long time. Another one is on e-cigarettes, which I believe are endangering our Nation's youth.

Senator MURKOWSKI was very instrumental in the committee, working with Senator MURRAY to make sure my bipartisan After School for America's Children Act was incorporated in the bill. I thank her.

In the Senate, I first introduced my afterschool bill in 1997. I worked with Senator Ensign at that time. The Federal Government at that time only funded small afterschool pilot programs. When we got to 2001, I saw an opportunity to take that pilot program and turn it into a real, funded authorization for afterschool programs. The bill we have on the floor today and next week will modernize that afterschool program. It is the 21st Century Community Learning Centers Program, which incorporates afterschool. It will help States support quality afterschool programs. It encourages parental engagement and involvement and ensures that afterschool activities complement the academic curriculum. Our kids don't stop learning just because the clock strikes 2 or 3 or 4; they keep learning. So the afterschool activities are very important.

Most important to me is that this bill preserves the stream of funding that is necessary to protect the afterschool programs because, to be quite honest, we have had a lot of issues with people trying to grab those funds and use them for something else. Let me tell you why we cannot do that. We now serve more than 1.6 million children of working families every year through this afterschool program. That is progress. Think about 1.6 million children. Think about all of their parents and the relief it brings to them to know they have their children in a quality afterschool program.

But there are still 11.3 million children left unsupervised when the day ends. In other words, one in five children is unsupervised from 3 to 6 p.m. Those are the hours where juvenile crime peaks and risky behaviors are most likely to occur. Law enforcement and mayors have been telling us for years that afterschool programs reduce crime. It truly is a no-brainer. Our kids need a safe place to go after school. Our parents need to make sure their kids are safe after school because most parents work in today's world.

No matter what leading candidates for the Republican nomination say, today my understanding is Jeb Bush

said our workers don't work hard enough. He said that our workers don't work hard enough. Just talk to the parents of these kids. They are working hard, sometimes multiple jobs. They need to know their kids are safe.

I want to talk about one student, Gerardo Rodriguez, who grew up in poverty in Los Angeles. He dealt with the threat of violence and the allure of gang life. While he was at Carson Middle School, he chose to join an afterschool program that was run by the Boys and Girls Club instead of a gang. Gerardo went to an afterschool program instead of joining a gang. In statistics, he would be told he was likely to be a dropout. Instead, he graduated from Carson High. In 2012, he obtained $3,000 in college scholarships. He is in his second year at California State University, Long Beach, and he is majoring in engineering.

We need to save kids like this. Yes, the parents are working hard, many hours, and they need afterschool help. This bill helps those kids. I would like to do more for more children, but I am thankful we are preserving this program.

Our working families need to know their kids are safe because there are more than 28 million parents of school-age children who are employed, including 23 million who work full time. These parents miss an average of 5 days of work a year because they don't have afterschool care and their child gets sick. We all know that. We have all gone through that. Our children have gone through that. So it was 30 years ago when I started to work on this issue.

I again thank Senators ALEXANDER and MURRAY for preserving afterschool care for our children.

E-CIGARETTES

Mrs. BOXER. Mr. President, I also thank Senators ALEXANDER and MURRAY for including my provisions on a dangerous product that is gaining popularity among our children, e-cigarettes. The language in the bill allows schools to use their same Federal funding that goes toward alcohol, drug, and tobacco education to teach children about more novel tobacco products such as e-cigarettes.

According to the CDC, youth use of e-cigarettes has tripled in 1 year from 2013 to 2014. Let me tell you, our kids are not getting accurate information. There is advertising that is aimed at them that makes it sound like this is just a wonderful opportunity for them.

What are our children being exposed to? It is not just nicotine—clearly, e-cigarettes are a nicotine delivery system—but even more.

Now the Surgeon General has said nicotine has a negative impact on adolescent brain development. So for God's sake, let us stop our kids from being able to smoke e-cigarettes on campus. I have an amendment that would do just that, and I hope it will be unanimously accepted because these e-cigarettes also contain benzene, cadmium, formaldehyde, propylene glycol, and nanoparticles that are present in traditional cigarettes, according to the California Department of Health.

So we need the FDA to finalize their rule on e-cigarettes. But in the meantime, youth use is soaring. We finally are making progress on reducing smoking among teens, and yet this e-cigarette situation is out of control. That is why I am pleased that in this bill schools will be able to teach kids about the dangers of e-cigarettes.

In conclusion, again I thank the bill's managers for helping me get the afterschool language in, protecting our kids after school, getting some language in to make sure we can educate our kids against the dangers of a new nicotine delivery system called e-cigarettes, but I also have three more amendments that are pending and I hope will pass.

The first one I talked about was clarifying that a ban on smoking in schools includes all tobacco products such as e-cigarettes. The second amendment would prohibit advertising e-cigarettes to children. When you see this—I am sorry I didn't bring the charts to the floor—they are using cartoon characters, the same kind of thing that was done by the big tobacco companies. Big Tobacco is behind this, let's be clear. We don't need another epidemic that starts killing our people before we finally turn the corner on regular smoking.

COLLEGE CAMPUS SEXUAL ASSAULT

Mrs. BOXER. Mr. President, the last amendment I have is a different subject, and it deals with college campus sexual assault. It would simply say that every college campus should have a confidential, independent advocate to help sexual assault survivors every step of the way.

I am proud to say that my legislation has been voluntarily adopted by universities in my home State of California, including the University of California, the State college system, and the community college system, to the extent they can deal with it, because there is a lot of discretion in that particular group of colleges. But I haven't heard from the private colleges in California.

So all we are saying in this amendment is let's make sure every college campus that gets Federal funds sets up a confidential advocate for women—for men as well who are also victims of sexual assault—so that from the beginning of their complaint they have a friend, they have a confidant, and they have someone who knows their rights with them every step of the way. I would be so proud to see this included.

I thank the Presiding Officer for his endurance on this little talk.

6-YEAR HIGHWAY BILL

Mrs. BOXER. Mr. President, next week I hear Senator MCCONNELL may be coming forward with a highway bill. I pray it is a 6-year bill. Republicans and Democrats voted one out of the EPW Committee—I am proud to say not one dissenting vote—a 6-year robust bill.

I hope we will fund it in a way that doesn't cut other jobs, while we are trying to create jobs in the transportation industry, but in fact looks at international tax reform, where we can actually help our businesses and have a tax system that is reformed. The funds that come in to us go to the highway trust fund so we can take care of those bridges that are falling done and insufficient—60,000 of them—the highways that need help, and the roads, 50 percent of which are in disrepair. We need help.

Our businesses need that help. They call for that help. They are the concrete people, the granite people. They are the general contractors, they are the engineers, our workers, and the construction workers. We still have 200,000 of them out of work since the great recession.

We need a 6-year highway bill. We need it now. We need it funded in a smart way that helps our economy keep on growing. So there is a lot of work ahead.

I wish to take this opportunity to say thank you to Senator ALEXANDER and Senator MURRAY—and a hopeful request to Senator MCCONNELL that the bill that comes to the floor on the highways is one which we can all embrace, and we can take care of this great Nation because, I will tell you, there isn't a great nation on Earth that doesn't have an infrastructure to match.

You have to move goods, you have to move people, and if you can't do that, we simply can't keep up in this global economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EVERY CHILD ACHIEVES ACT

Mr. UDALL. Mr. President, Nelson Mandela once said there can be no keener revelation of a society's soul than the way it treats its children.

Every child deserves a fair chance. If we fail at taking care of our children, we fail at everything else. So the stakes are high as we work to reform the No Child Left Behind Act. Too many children are left behind. The Every Child Achieves Act is a step forward.

I thank Senator ALEXANDER and Senator MURRAY for working so hard on this bill. It is bipartisan, and it is an opportunity for real progress in educating our children.

My dad used to say get it done, but get it done right. When we say ''every child succeeds,'' we have to mean it—every child, including those in the poorest and most vulnerable communities. That is what we must do. This is the bill we must pass.

I am cautiously optimistic, but I would remind my colleagues, we cannot keep playing catchup. I have met with child well-being experts in New Mexico and across the Nation. They are very clear. Early intervention is key. For too many children, there are too many hurdles and too little hope. Our commitment has to begin early and has to stay the course.

In New Mexico, almost one in three children lives in poverty. One in five goes to bed hungry. We are ranked next to last in education, last in overall child well-being. That is absolutely unacceptable. The future of my State, for our children and for our economy, depends on changing it.

Earlier this year, I introduced the Saving Our Next Generation Act for full funding for programs that work, that work on a daily basis, work in our communities for critical prenatal care, and for Healthy Start and Head Start. Too little too late doesn't work. The result is wasted opportunity and continued failure. Children need to arrive at school ready to learn and able to realize their full potential.

That is why I also emphatically support Senator CASEY's strong start amendment for pre-K education for every child. Early learning is critical. Senator CASEY's amendment would expand and improve those opportunities for children from birth to age 5.

We need to ensure all students get the same opportunities. I have introduced an amendment that provides support for Native American schools. The Bureau of Indian Education functions as a State education agency and has 50,000 students in it, but it is not funded as one. It often loses out on grants and other Federal funding. We have to change that.

Both sides have worked to improve this bill. I am pleased it has several measures that I have long fought for. For example, healthy children are an investment in our future. Their health education should be a priority, not an afterthought. The bill includes my amendment to make health a core subject.

In addition, we know that too many students, especially in minority communities, are not graduating. In my State, one-fifth of high school students drop out every year. Many who drop out are teen parents. My amendment provides critical support to these students. We need to do all we can to help them stay in school and to raise healthy children while they do so.

The Every Child Achieves Act strengthens STEM education, financial literacy, rural school districts, and 21st century community learning centers. It ensures that tribal leaders can teach native languages in their schools—something I have long pushed for. It also supports vital school and community public-private partnerships. These are much needed reforms and will make a difference to children and families in my State.

Our goal is clear: to reach all students, especially those who need the most support to succeed in school.

In New Mexico, three out of four of our schools are title I schools. They face great challenges. Many students are low income. Many have special needs. We have to make sure they have the resources they need. This has to be a priority, and it starts with good teachers.

We aren't going to recruit great teachers—especially in schools with the greatest need—if we unfairly punish those teachers for poor student performance. There has to be flexibility, especially early on.

Our first obligation is to students—all students. We are accountable to them and their parents, and we need to keep applying pressure, while providing support, to States and school districts to ensure that truly no child is left behind. But we can't just test for failure; we need to plan for success. We should build on what works and leave behind what doesn't. But don't leave behind good students or those teachers who dedicate their lives to helping them.

Now is the time for reform—to ensure that standards are strong and, if not met, efforts are in place to help those students, to make sure parents and teachers know how students are performing every year, and to give States and school districts the support to succeed.

Let's be clear. We face troubling and chronic achievement and opportunity gaps. Every school must address this and be held accountable. Now is the time to address resource inequities. Now is the time to invest in what works. Now is the time to make sure we are not taking resources away from students, schools, and districts with the greatest need. Parents deserve to know that when children fall behind, their schools will take action and that we have the resources to do so.

But it isn't just schools that must act. So must we act—the Congress, parents, and communities. We all have a stake in this, and we share the same goal—to protect at-risk students, to provide accountability for taxpayer funds, and to make sure that every child has a fair chance.

I want to again commend my colleagues on both sides of the aisle for bringing this legislation to the floor. Working together we can provide all students with the education they need.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1722

Mr. ROUNDS. Mr. President, I rise to speak concerning the Dodd-Frank Act, which mandates the creation of 398 new rules. These rules are still in the process of being implemented, but already we have seen capital moving from productive uses to inefficient and unproductive uses as a result of this law. The end result is that every dollar going to comply with these rules is a dollar that can't be productively invested in our economy by providing loans or mortgages to customers or purchasing machines or, for that matter, hiring new employees. For example, at a recent Senate banking committee hearing, the comptroller for Regions Bank testified to us that the bank now employs more compliance employees than actual loan officers. This is not only bad for Regions Bank, it is harmful for our entire economy.

Unfortunately, we see examples of overregulation stemming from Washington way too often. Another example of an unnecessary and redundant rule that costs businesses capital is the so-called pay ratio rule buried in section 953 of Dodd-Frank, and today I come to the Senate floor introducing legislation to repeal it, S. 1722. Pay ratio requires the Securities and Exchange Commission to promulgate a rule requiring companies to calculate the median salary of all their employees and then divide their CEO's pay by that number.

According to one prominent organization in support of this rule, the purpose of it is to ''shame companies into lowering CEO pay.'' Forcing companies to move money from productive uses toward re-creating information that is already available so they can be shamed is a poor use of financial resources. In addition, it is also redundant. CEO pay is already public. If anyone is interested in finding the salary of a CEO of a public company, that information is easily available thanks to already existing disclosures. Also, both the Bureau of Labor Statistics and private economists already track the average salary for a wide variety of jobs. If we know the salary of a company's CEO and we know what their business does, we can already calculate a company's pay ratio. In fact, labor unions and private Web sites are already making these calculations.

Unfortunately, the result of the pay ratio rule is more than just an academic exercise; according to the SEC, companies will have to spend $73 million per year to comply with this rule. And the U.S. Chamber of Commerce estimates the cost will be higher—as much as $700 million per year or more.

If we take those two numbers and split the difference, if we add them up and divide them, we get $386 million per year as an average estimate just to comply with this one single rule.

Taking a look at this rule, let's use our own pay ratio test. In 2014, the Bureau of Labor Statistics calculated that the annual mean wage was $47,230. If we divide $386 million, which is the cost of complying with the pay ratio rule, by $47,230, which is the mean annual wage for workers, we get the number 8,172. This means that on average we could pay 8,172 people their full salary for the amount of money it takes to comply with the pay ratio rule. Remember, this is only one of 398 such rules found within Dodd-Frank, a number of which have not even been implemented yet.

The money they would use to do this has to come from somewhere to pay for the new compliance systems required to follow this rule, taking away much needed capital from businesses that could otherwise invest money growing their business and creating job opportunities. It is a waste of time, effort, and money.

The legislation I introduced yesterday simply strikes this rule in Dodd-Frank. It does nothing to change any other part of the law. Repealing the pay ratio rule would allow companies to find more productive uses for their time and money so they can invest in the future and create job opportunities.

I am committed to relieving Americans from this and other unnecessary and burdensome regulations during my time in the Senate. I encourage my colleagues to join me in this effort.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EVERY CHILD ACHIEVES ACT

Mr. CASEY. Mr. President, I rise to speak on an amendment that has great significance for our country. It is about early learning. I will give you the formal name of the amendment so we have it for the record: Casey amendment No. 2152, the strong start for America's children amendment, which is an amendment to the Every Child Achieves Act that will establish a Federal-State partnership to provide access to high-quality and public prekindergarten education for low- and moderate-income families.

We have had a debate, especially over the last couple of days, about our commitment to basic education, so-called elementary and secondary education. As part of that, I think it is the time to finally, at long last, have a debate about early learning on the floor of the U.S. Senate. It has been a long time since that has happened.

I thank the folks who have made it possible for us to get to this point to consider an amendment like this and to have this debate about the larger legislation but also about this amendment, in particular. Senator ALEXANDER and Senator MURRAY were leading the effort to consider the Every Child Achieves Act, but also, in particular, I again salute Senator MURRAY for her many years, as you might call it, laboring in the vineyards of early learning, as she has done on so many other issues—since the first stage, she has been in the Senate working on early learning. I thank Senator HIRONO for her work on this issue as well, in proposing legislation which has come together now after a lot of years of work by a number of us in the Senate. We are grateful for their contribution.

I also ask unanimous consent to add Senator BOOKER as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, what this comes down to is something very fundamental. The basic link between learning and earning—if children learn more now or learn more when they are very young, they are going to earn a lot more down the road. They are going to do better in school. They are going to succeed in progressing in school in a way we would hope, no matter where they live and no matter what their circumstances, if we make the commitment to those children. Because of that success and progress and learning, they will learn more down the road. We know a more developed education leads to great success in school and also leads to a better job down the road.

This isn't simply a commitment to a child. It certainly is that first and foremost, but it is also a commitment to our long-term economic future. If you want higher wages and you want better jobs and you want a growing economy and you want America not only to compete in a world economy but outcompete and have the best workforce, the best workers in the world, we have to make sure we have the best education system. That starts long before a child gets to first or second grade and even starts before they get to kindergarten. That is why I refer to this as pre-K or prekindergarten education. If they learn more now, they will earn more later. We have to make sure we bear that in mind.

As we debate the appropriate role of the Federal Government to ensure that all students in the Nation graduate from high school prepared for college and career, we cannot forget about this basic piece of the puzzle that begins before that child enters kindergarten.

In the short term, students enter kindergarten more prepared and ready for elementary school if we pass legislation like the amendment I am proposing. Some studies have even shown high-quality early learning can help double a child's cognitive development. High quality and early learning can double a child's cognitive development.

In the long term, high-quality early learning—we want to emphasize ''high quality.'' I didn't say just any program or any kind of curriculum. We will talk more about that later. High-quality early learning contributes to, among other things, No. 1, a reduction in the need for special education; No. 2, lower juvenile justice rates; No. 3, improved health outcomes; No. 4, increased high school graduation and college matriculation rates; and, No. 5, increased self-sufficiency in productivity among families. These aren't just assertions. These are the results of many years of study.

I will turn to the first chart for today. No. 1, high-quality early learning means children can earn as much as 25 percent more as adults. This is where early learning has a direct and substantial correlation to higher wages down the road. No. 2, early learning leads to healthier and more productive lives. There is no question about that. Some of the best research on this has been done lately and should be part of the discussion. No. 3, high-quality early learning also leads to children who are less likely to commit a crime. All the data shows that over many years now. No. 4, high-quality early learning means children are more likely to graduate from high school.

We need to get that number up across the country. We hope that will lead to more young people finishing high school and getting higher education, but that doesn't always mean a 4-year degree. It might mean a 2-year degree. It might mean a community college. It might mean a technical school. They can't get to a community or technical school or any kind of higher education unless they graduate from high school. We want to make sure we have programs that do that. Kids learn more now and earn more later. That is the first reason to do this. It has a positive impact on that child and a substantially positive impact on the economy.

The other way to look at this is what would happen in the absence of this kind of commitment, which we don't have right now as a nation. I think it is a strategic imperative that we have a commitment to early learning. But what happens if we don't? We can spend upward of $40,000 per inmate on incarceration, thousands of dollars on drug treatment and special education. Whatever the challenge is, those problems become worse the longer we don't make this commitment. That is one option.

The other option is to spend a fraction of that $40,000 on high-quality preschool and give children the good and smart start they need in life. It is that old adage: An ounce of prevention is worth a pound of cure.

We often have the best testimony from folks in our home State. I want to read one of those pieces of testimony. This is a letter I received. I will not read the whole letter. I want to refer to

a couple of individuals from Pennsylvania. Heather is from Southwestern Pennsylvania, and she wrote to us talking about her child. She is talking about the fact that her daughter is enrolled in a high-quality pre-K program. These are positive testimonials about the impact on the child and on the family. Heather, from southwestern Pennsylvania, wrote to us and told us that her daughter is enrolled in a high-quality pre-K program. These letters are positive testimonials that describe the impact this program has on a child and family.

Heather says in pertinent part:

My daughter has blossomed since starting the PA Pre-K Counts program . . . she loves it!! She sings us songs she learns daily and has made lots of friends daily she tells us how much she loves her school and her teachers!

It goes on from there.

Another letter from Dorie D., also from the southwestern corner of our State, out near Pittsburgh, says:

Our daughter has blossomed since starting the PA Pre-K Counts program. Having this program available to us has helped us see how our child learns best.

She goes on to say:

She is just so much more animated and open to learning now.

We get letters like these all the time about the positive impact of early learning. This is testimony from people who are directly affected by it.

One way to look at this is from the testimony of families. Another way to look at it is from the data. One of the best authorities is Dr. James Heckman, the Nobel Prize-winning economist who estimates that the return on high-quality early learning is as high as $10 for every $1 we invest. Another study of the Perry Preschool Project in Michigan showed a return of $17 for every $1 spent. So when you spend a buck on early learning, you get 17 bucks in return. This study has been on the record for many years, and unfortunately some elected officials haven't taken it to heart.

The data of return on investment is overwhelming and indisputable. So if we want to measure this in terms of dollars, there is all of the evidence in the world. I think the evidence and the testimony from parents is even more persuasive, but if we want to do a dollar comparison, there it is—17 bucks returned on 1 buck of investment in early learning.

The same research found that children who participated in high-quality early learning earned approximately 25 percent more per year than those who did not.

So study after study looking at full-day learning programs across the country have found a positive impact on the future earnings of participants, and in some cases the benefit just from increased wages could be as high as 3.5 percent per year. So this does have a direct correlation to wages. My strong start amendment would help more than 3 million American children have that opportunity for high-quality early learning, and it would give them access to those kinds of programs.

My home State of Pennsylvania has made strides in this direction at the State level. That is the good news. The bad news is that they have not made anywhere near the strides we need to make. We are nowhere near 50 percent of our children in these kinds of programs. So because of that, because of that void or that deficit, the number for Pennsylvania in terms of benefits is high. It is estimated that 93,930 children in the State of Pennsylvania could benefit from this amendment being enacted into law.

Mr. President, I ask unanimous consent that the document entitled ''Five-Year Estimates of Federal Allotments and the Number of Children Served By Casey Strong Start Amendment'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FIVE-YEAR ESTIMATES OF FEDERAL ALLOTMENTS AND THE NUMBER OF CHILDREN SERVED BY CASEY STRONG START AMENDMENT

(funding in dollars)

State	Federal Allotment $	Estimated Children Served
Alabama	429,922,966	51,804
Alaska	130,998,000	15,643
Arizona	656,508,117	80,170
Arkansas	315,518,722	34,630
California	3,139,171,848	356,816
Colorado	366,496,715	43,250
Connecticut	199,660,755	21,673
Delaware	130,998,000	15,789
District of Columbia	130,998,000	12,666
Florida	1,440,455,110	161,553
Georgia	917,616,106	101,756
Hawaii	130,998,000	16,099
Idaho	153,654,734	18,800
Illinois	961,484,302	108,064
Indiana	530,095,397	65,147
Iowa	241,549,933	26,707
Kansas	259,275,568	30,942
Kentucky	411,598,742	47,475
Louisiana	455,185,965	52,223
Maine	130,998,000	15,427
Maryland	361,451,446	40,378
Massachusetts	268,510,976	30,552
Michigan	704,261,046	82,020
Minnesota	344,519,863	41,581
Mississippi	341,868,957	42,015
Missouri	448,967,945	54,565
Montana	130,998,000	16,099
Nebraska	147,742,118	17,666
Nevada	252,190,201	30,808
New Hampshire	130,998,000	16,099
New Jersey	448,992,376	42,744
New Mexico	227,159,310	27,175
New York	1,234,026,608	137,136
North Carolina	872,086,515	101,598
North Dakota	130,998,000	16,099
Ohio	976,595,679	118,760
Oklahoma	323,544,733	34,739
Oregon	292,466,846	33,472
Pennsylvania	817,003,895	93,930
Puerto Rico	453,536,785	55,738
Rhode Island	130,998,000	16,035
South Carolina	514,947,370	61,478
South Dakota	130,998,000	16,099
Tennessee	585,849,905	68,313
Texas	2,670,071,687	299,902
Utah	283,952,191	34,897
Vermont	130,998,000	15,224
Virginia	461,782,685	53,967
Washington	511,392,470	60,180
West Virginia	150,649,562	15,676
Wisconsin	455,857,852	50,212
Wyoming	130,998,000	16,099
Total	26,199,600,001	3,017,891

Notes: Table prepared by the Congressional Research Service. Estimates were developed using assumptions and some may not be subject to change. Estimates of children served assume the cost of serving each child would be $9,000 per child in every state.

Mr. CASEY. That is a list of the dollar amounts that States would receive under this. They have to choose to participate, but if they did, they would have not just the dollars for it but the children served. So my amendment would benefit 3 million children across the country and almost 94,000 children in Pennsylvania. In Ohio, 118,760 children would benefit from this program. Even a very large State that might not have the investment we would hope, a State such as Texas, has 299,902 children—let's just round it off and call it 300,000—who would benefit.

This chart shows the number of children who would benefit, and I believe it is long overdue that we made this commitment to our children.

The State would have to match, and that is why I mentioned it at the beginning. This is a Federal and State partnership. And we know if that happens, the full-day preschool would be available for 4-year-olds—that is the age category we are focused on—from families earning 200 percent below the Federal poverty level. So if it is a family of four, 200 percent is a little less than $49,000 of family income.

Earlier, I mentioned quality. We don't want to just have programs set up around the country—a Federal and State partnership and have a program. That would be nice, but it won't advance the goal of the best possible learning. We want high-quality programs. So we insist that the programs be ones that have teachers with high qualifications who are paid comparably to K-through-12 teachers. We would also insist that there be rigorous health and safety standards for these programs, such as small class sizes and low child-to-staff ratios, and instruction that is evidence-based and developmentally appropriate. We don't want to have just any curriculum; we want to have the best curriculum that is based on evidence that it works and also evidence-based comprehensive services for children.

This amendment acknowledges that high-quality pre-K programs should be inclusive of services for children with disabilities as well and recognizes the need for increased funding to specifically serve these children in early childhood.

There are other aspects of the program I do not have time to discuss right now, but I wanted to address an issue some people have brought to my attention. This program is a new commitment by the United States of America, and even folks who say this is a really good idea ask: How do you pay for it?

Well, we have a pay-for. There is a change to the Tax Code, which I think a lot of folks would support because of what we have seen over the last couple of years. To pay for this, we would put limits on the ability of American companies to invert and move their tax domicile overseas to reduce their tax liability. That is a long way of saying we would make it more difficult for companies to engage in this so-called inversion strategy which allows them, through a loophole, to pay less taxes because they move operations into a smaller company that is foreign owned.

I believe we should make it more difficult for companies to do that. If they want to do that—I don't like when they do that, and not many people like it—we should at least make it a little more difficult. If we make it more difficult for companies to do what we hope they wouldn't, that will actually lead to a savings in revenue.

It would make a lot of sense for American companies that believe they should move overseas to help us pay for early learning. I think that makes all the sense in the world if we are committed to early learning and if we are committed to making sure we can pay for the program. The amendment itself is paid for by dealing with this loophole or dealing with part of an advantage companies have.

This amendment is supported by nearly 40 national organizations, from unions, to parent education and early learning groups, disability advocacy groups, and civil rights groups.

Mr. President, I ask unanimous consent to have the full list of endorsing organizations printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

List of Organizations Endorsing Casey Amendment #2152 to S. 1177—The Strong Start for America's Children Amendment

1. American Federation of State, County, and Municipal Employees
2. American Federation of Teachers
3. American Federation of School Administrators
4. Bazelon Center
5. Child Care Aware America
6. Center for American Progress Action Fund
7. Center for the Collaborative Classrom
8. Children's Defense Fund
9. Center for Law and Social Policy
10. Collaborative for Academic, Social, and Emotional Learning
11. Common Sense Kids Action
12. Easter Seals
13. Education Law Center
14. First Five Year's Fund
15. First Focus Campaign for Children
16. Leadership Conference on Civil and Human Rights
17. Learning Disabilities Association of America
18. National Association for the Advancement of Colored People
19. National Association for the Education of Young Children
20. National Association of Councils on Developmental Disabilities
21. National Association of Elementary School Principals
22. National Association of School Psychologists
23. National Association of State Directors of Special Education
24. National Black Child Development Institute
25. National Center for Families Learning
26. National Council of La Raza
27. National Urban League
28. National Women's Law Center
29. National Education Association
30. Nemours Children's Health System
31. Parents as Teachers
32. School Social Work Association of America
33. Service Employee International Union
34. Teach For America
35. Teaching Strategies
36. The Committee for Children
37. The National Down Syndrome Congress
38. Tourette Association of America
39. Zero to Three

Mr. CASEY. Just a couple of more points, and I will move on.

Even with these recent gains, according to one of the national groups that track this data, the National Institute of Early Education and Research, NIEER, shows that only 4 in 10 American 4-year-olds are enrolled in public pre-K and fewer than 2 in 10 3-year-olds. Let's just focus on the 4-year-olds. Four in ten 4-year-olds are in these kinds of programs.

I don't know how we can compete and have the best workforce in the world and develop the highest skill level in the world for our future if we don't make a commitment to early learning. I don't know how else we can get there over time if we are going to continue to talk a good game about early learning. And to listen to the testimony of parents, CEOs, and business owners who come to us year after year, in addition to talking to us about taxation and other issues—they say: Please, please make an investment in early learning. Some of the biggest companies in Pennsylvania and some of the biggest companies in the world have come to us and said that. Whether it is a CEO or a parent or an educator, they all believe we have to finally, at long last, make a commitment to early learning as a nation because it is a strategic economic imperative.

Even in Pennsylvania, where I mentioned before that we made some strides over basically the last decade or 15 years, we rank 10th in the amount of State resources invested. That is kind of good news but not enough. Pennsylvania is still only able to serve less than 10 percent of all 3- and 4-year-olds in State funding for early learning.

I think that at the same time we can make the academic arguments—the arguments by parents and educators and CEOs—we also know that the national data and polling show it is something the American people support as well. The American people understand the vital importance of increasing investment in early learning.

A national poll conducted last year by the bipartisan team at Public Opinion Strategies and Hart Research showed that 64 percent of Americans believe we should be doing more to ensure that children start kindergarten ready to do their best.

Here is another way to summarize it. This chart shows voters who say we should be doing more to ensure that children start kindergarten ready to do their best, and virtually no one else says we should do less. Those who say we should do more to ensure our children start kindergarten ready to learn and ready to do their best—64 percent. Twenty-seven percent say we should do enough. We have to persuade some of those folks in green. Only 4 percent say we should do less. I don't know who those folks are. I hope I can meet them and talk to them. But the overwhelming majority of Americans say we need to do more to give children the opportunity to be prepared to learn and therefore to have a strong start in their education and down the road to literally earn more when they are working.

This support runs across all parties—55 percent of Republicans, 63 percent of Independents, and 73 percent of Democrats.

When asked about a similar proposal to the one in my amendment, 7 in 10 Americans, including 67 percent of Republicans, support it. So it has overwhelming support.

I will end with the words of the folks who know the benefit of these programs already—some of the parents who wrote to us. There are two more letters I will cite.

The next testimonial is from Beth. She is from Washington County, PA. She expresses gratitude for the Pennsylvania pre-K program. She says:

> My daughter has learned so much. Before the start of PA Pre-K Counts, she couldn't write any of her letters or even recognize them. She has improved so much since the first day of class. It has given her socialization with other kids her age.

She goes on to tell how much that means to her family and how much that means to her daughter.

Finally, Megan, who is from the other end of the State, southeastern Pennsylvania in Montgomery County, says in part that her son ''came into this program shy and with very little verbal communication. He now talks nonstop and loves learning!''

I have only read brief excerpts from letters we have received.

Here is the point: If a child enters a program and by the end of that is curious about learning, that is a huge success. If a child enters a program not knowing her letters and by the end of that she is learning and achieving, that is something we can all be positive about.

The first letter I read talked about the way one mother's child was singing songs that she learns daily. Whatever it is, whether it is singing or learning letters or reading, these children are learning because of a good program. It didn't just happen by accident. It happened because they are in a high-quality program. It happened because in some communities they made the decision to invest in the future of that child and the future of our economy.

So let's take a step with this amendment to allow children to learn more now so they can earn more later and help us move into the future in a very positive direction for our children, for our families, and for our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak in strong support of an amendment to this underlying bill that addresses resource equity in our Nation's schools. I am proud to have

worked across party lines to join my colleagues in supporting this bipartisan amendment, particularly to have worked with Senators KIRK, REED of Rhode Island, and BROWN on this measure. It is an improvement to the long-overdue reauthorization of the Elementary and Secondary Education Act that we have been debating over the course of this week.

The Every Child Achieves Act importantly focuses on ensuring that those students most in need have access to a high-quality education. It continues to ensure that title I funds flow to school districts where Federal support can make the greatest impact and the most difference. It requires States to report key information that will help us identify disparities such as per-pupil expenditures, school discipline, and teacher and educator quality. But I believe we must further strengthen those reporting requirements in order to fully ensure that the range of critical school resources—from quality teachers, to rigorous course work, to well-conditioned and equipped school facilities—is being equitably distributed among school districts in a given State. And we must require States to demonstrate how they will act to address disparities among schools.

Despite the advances we have seen since President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, significant gaps in achievement and opportunity still exist. The U.S. Department of Education's Office of Civil Rights recently published data from a comprehensive survey of schools across the Nation that illustrated the magnitude of the problem. For example, the report describes how Black, Latino, American Indian, and Native Alaskan students and English learners attend schools with higher concentrations of inexperienced teachers.

Furthermore, nationwide, one in five high schools lacks a school counselor, and between 10 and 25 percent of high schools across the Nation do not offer more than one of the core courses in the typical sequence of high school math and science.

In my home State of Wisconsin, higher poverty and higher minority school districts remain more likely to have inexperienced teachers. The Department of Education has data that shows that, for example, in Milwaukee, where there are the most high-poverty and high-minority schools in our State, 8 percent of teachers are in their first year of teaching and 19 percent of teachers lack State certification. The State average is 5.6 percent for first-year teachers and 0.3 percent for those who lack certification.

As with the Nation, achievement gaps follow these disparities. According to data from the National Center for Education Statistics, there are startling differences in student proficiency and graduation rates both in Wisconsin and nationally. For example, the average math proficiency in low-performing schools in my home State is 12 percent. The average in all other schools in the State is 51 percent. That is a huge gap; it is a 40-percent gap. There is also a 37-percent gap for reading and language arts proficiency and a 31-percent gap in graduation rates.

We cannot close those achievement gaps if we do not provide all students with equal access to core educational resources. That is why I am pleased to join Senators KIRK, REED, and BROWN in offering this opportunity dashboard of core resources amendment. This amendment requires each State to report what key educational resources are currently available in districts with the highest concentrations of minority students and students in poverty. Then it requires them to develop a plan to address the disparities that are shown to exist. It gives States flexibility to develop those plans and lay out a timetable with annual benchmarks for taking action, and it protects a parent's right to know about the critical educational resources that are available to his or her child.

As we work to reauthorize the Elementary and Secondary Education Act in its 50th year, we have yet to see its promise of equal access to educational opportunity fulfilled for all of America's students. As we look to the next half-century of supporting public education, it is critical that we take steps to ensure that all children have access to the educational resources that will help them succeed, regardless of race, ethnicity, or family income.

I understand there may be a vote on this amendment early next week. I certainly hope so. I urge my colleagues to support this very important bipartisan effort.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPERIMENTS IN POLICY

Mr. CORNYN. Mr. President, when I return home to my State during our district work periods—the time when the Senate is not in session—as I get a chance to travel my State, as the Presiding Officer does in his, I always feel as though I learn something, and I appreciate a little bit more how different policies can have a different impact and produce different results.

As the distinguished Senator from Wisconsin was speaking about the importance of education, I couldn't help but think that we all agree with that, but we have maybe some differences on which policies actually produce a better result. I couldn't help but think a little bit about that last week as I was visiting some of the ranchers and folks in west Texas in the ag sector who were very interested in what we were doing here in Washington on trade promotion authority, as we have worked with the President on a bipartisan basis to pass this structure by which the next big trade agreement—the Trans-Pacific Partnership—will be considered and voted on.

I do have a bias. I think experiments in policy are best conducted at the State level, not at the national level. We have seen, for example, as the Presiding Officer knows, a huge experiment in health care reform where, under the Affordable Care Act, one-sixth of our economy was effectively commandeered by the Federal Government in a one-size-fits-all approach. Of course, the results were much worse than even its most ardent opponents predicted. Many of the basic promises that were made in order to sell the Affordable Care Act simply aren't true. They haven't come to pass.

So I think it is helpful to do just the opposite. Rather than experiment at the national level with what kinds of policies actually work, let's try these at the State level. Indeed, on the matter of trade, I would say I come from a State that is the No. 1 exporting State in the country, and that is one reason why our economy grew last year—2014—at 5.2 percent. The economy across the United States grew at 2.2 percent. There are a lot of reasons for that difference, but don't we think it would make some people curious about whether there were actually policies or practices at the State level that produced a better result—a growing economy with rising wages and more jobs?

This isn't just me being proud of where I come from. I guess people are accustomed to Texans being proud of their State and bragging about it. That is just kind of who we are, and we accept that. But this is more than that. This is talking about the policies that actually work, that have been embraced and implemented here at the national level, once tested at the State level—we could actually see a better outcome for all of America.

For example, Texas farmers and ranchers know from our experience in Texas that trade is a good thing. As we begin to explain and explore the importance of trade promotion authority, the idea that we comprise roughly 5 percent of the world's population—in other words, 95 percent of the world's population is beyond our shores but we represent 20 percent of the world's purchasing power—why wouldn't we want to open up our goods and services and the things we grow and make to these markets abroad so that more people can buy the things we grow and raise and what we make?

I wish to speak about another innovation or at least another practice at the State level that has had an impact on the quality of education at the State level. As we continue the discussion of the Every Child Achieves Act—

legislation that will hopefully help improve the results for 50 million children—I am glad we will be bringing another tried-and-true example of what has happened at the State level to the national level.

I was happy to cosponsor with the senior Senator from Virginia an amendment which takes into account the commonsense purpose of encouraging the States to conduct efficiency reviews of school districts and campuses to make sure Federal dollars delivered to each classroom are spent as cost-effectively as possible. This amendment builds on an incredibly successful program in Texas—one that brings greater accountability to our schools and helps them discern how they can make each dollar go just a little bit further. This program is called the Financial Allocation Study for Texas, or FAST. It was developed by the Texas comptroller, Susan Combs—the immediate past comptroller of the State of Texas—to evaluate the operational efficiency of the school districts and campuses across our State. To do that, the comptroller uses data about school finances, school demographics, and academic performance from each school and campus around the State to help measure academic achievement relative to spending.

There is a broadly held fallacy that the quality of educational outputs is equal to how much money we put into it. In other words, if we want a better product—education—all we have to do is spend more money. I would say that is demonstrably false. There are many of our parochial schools that do an outstanding job of educating their students at a fraction of what our public schools do. So I think it is a fallacy to say that if we want more or better education, all we have to do is spend more money. There is a smarter, more efficient way to deal with that, and that is what the financial allocation study is designed to achieve—to measure academic achievement relative to spending.

As the senior Senator from Virginia explained earlier, this successful Texas model of a fiscally responsible education system caught his eye when he was Governor of Virginia, and fortunately he then implemented a similar program. In Virginia, the savings came from commonsense recommendations—again, as we did in Texas—things such as introducing software programs to improve bus routes, enhancing methods of facilities management, and encouraging best practices in hiring and personnel management.

While more States have adopted similar programs, these money-saving opportunities should be available to all school districts nationwide. So now, with the adoption of this amendment just yesterday and with the eventual passage of the Every Child Achieves Act, we can make sure school districts all across the country are using their dollars for what they are really intended—classroom education—not stuck in the back office bureaucracy.

As many of us have already mentioned, the underlying legislation, the Every Child Achieves Act, is really about putting the responsibility for our children's education back in the hands of parents, local school districts, and teachers—the people who are actually closer to the issue, closer to the problems, and the ones who perhaps know more than any bureaucrat in Washington could ever hope to know about what actually works at the local level. It is also about flexibility, meaning it is up to individual States, not just the Federal Government, to determine how to achieve the best outcome for all of our students. Importantly, I should add, that flexibility translates into greater options for schools across the country by giving States additional freedom to create and replicate high-quality charter schools, for example, and giving more parents more choices, as I said, for their children's education.

I am very proud of the good progress we have made across a number of issues this year so far—passing the anti-human trafficking laws and finally cracking the code on how we pay physicians under Medicare adequately rather than temporarily patching that problem, as we have for so many years. We passed a budget for the first time since 2009 that balances in 10 years. And, yes, we worked with the President of the United States on a bipartisan basis to pass trade promotion authority. Next week, we will conclude this Every Child Achieves Act by reforming our early and elementary childhood education system to get more of the power, to get more of the authority out of Washington and back to parents, teachers, and the States, where it really belongs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EVERY CHILD ACHIEVES ACT

Mr. FRANKEN. Mr. President, we have been living under No Child Left Behind, or NCLB, for 13 years. During that time, we have learned a lot about how NCLB works and a lot more about what doesn't work. Students, teachers, and parents across the country have been waiting a long time for us to fix this law.

As a member of the Senate Health, Education, Labor and Pensions Committee, I am proud to have worked on the legislation before us today and to have helped to get it this far. The Every Child Achieves Act of 2015 builds a strong bipartisan foundation to reform our national education system, and I thank Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY for their leadership on this bill.

Over the last 6 years, I have met with principals and teachers, students, parents, and school administrators in Minnesota. These conversations have helped me to develop my educational priorities to help improve our schools, our communities, and our Nation's future. I worked with colleagues on both sides of the aisle, including the esteemed Presiding Officer, to find common ground, and I am very pleased that many of my priorities to improve student outcomes and close the achievement gap are reflected in the legislation that is before us today.

During my conversations with parents and students, I often speak about children's mental health. At Mounds View school district in Minnesota, I met a single mother named Katie Johnson. She told me about her son, a 9-year-old boy whose behavior she just wasn't able to control. Because this school had a system in place—a mental health model in place—they were able to identify that he might have some mental health problems and get him access to community mental health services. He was diagnosed with ADHD and Asperger's. He was able to get the treatment he needed, and it turned him around. Katie told me that her son is now doing well in school and he had taken up Tae Kwon Do. Katie told me that her life had been out of control when she couldn't control her child. But she pointed to herself—and I will never forget this—she pointed to herself and said: ''Now I am bulletproof. I can do anything.''

Well, I said, let's do this. So I came here and introduced the Mental Health in Schools Act, and I am proud that over the last couple of years we have gotten $100-plus million extra through the appropriations process for programs like the one in that bill.

I have worked hard to get provisions based on my Mental Health in Schools Act into the bill before us today. My provisions will allow schools that want to work with community-based mental health organizations and mental health providers to use Federal education funding to provide mental health screening, treatment, and referral services to their students by equipping school staff with the training and tools to identify what it looks like when a kid has a mental illness. Every adult in this school, from the lunch lady to the principal, from the schoolbus driver to the teacher, was trained to see what it looked like when a kid might have a serious mental health issue, and then they would refer to the professional in the school, the counselor or school psychologist.

One of the most common features of successful schools in disadvantaged communities is the presence of an effective school principal. This should come as no surprise. It is a matter of common sense to expect that a successful school or any successful organization would have a strong leader. Research shows that school leadership is one of the most critical components of

improving student learning. Yet, despite its importance, the Federal Government has not devoted adequate attention or resources to improving the quality of principals in high-need schools. That is why I made sure that there is dedicated funding written into the base bill to create a pipeline of effective principals for high-need schools.

I had a roundtable a number of years ago. The roundtable was with principals from around the Twin Cities. A school had been turned around by a great principal. We started talking about testing. One of the principals referred to the NCLB test as ''autopsies.'' I knew immediately what he meant. Schools had to administer an NCLB test toward the end of the year—toward the end of April—and the school and the teachers didn't get the results until late June, when the kids were out of school. So the teachers couldn't use the results of the tests to inform the instruction of their kids. I found out that was why in Minnesota schools were administering other tests in addition to the NCLB test. On top of that, they were giving computer adaptive tests. What are computer adaptive tests? Well, they are computers—meaning the teacher gets the results right away, so he or she can use the results of that test to inform the instruction of each child. They are adaptive, which means that if a child is getting everything right, the questions get harder; if they are getting things wrong, the questions get easier. This is much more descriptive of where the child is and you can pinpoint this. This informs the instruction.

These kinds of tests were not allowed in the original NCLB because they said that all tests had to be standardized—standardized, meaning having the same test for each child—but you get a much better assessment with computer adaptive tests. That is why I wrote an amendment with Senator JOHNNY ISAKSON of Georgia into the Every Child Achieves Act to allow States to use computer adaptive tests. Teachers will now be able to create lesson plans based on how each student performs, starting the next day. They use computer tests to more accurately measure student growth, which is something I believe in—measuring growth and not judging whether a kid meets or what percentage of kids meet some arbitrary performance standard or proficiency standard but instead whether the school is helping every kid grow.

The only thing I liked about No Child Left Behind was the name. Yet, every teacher started teaching to the middle—teaching to the kids who are just below or just above that artificial line of proficiency. That was a perverse incentive not to focus on the kid above the line or below the line. Every child achieves. That is what we are going for.

This amendment will go a long way toward improving the quality of assessments used in our schools and will give teachers and parents more accurate and timely information about how their kid is growing.

Another issue I hear about as I travel around Minnesota—this time from businesses—is that students graduating from our schools aren't ready to take on the jobs that are waiting for them. This is called the skills gap. It isn't just a problem in Minnesota; I would say it is a problem in every State. We have jobs now that are going unfilled because our graduates lack science, technology, engineering, and math, or STEM, skills. In fact, by 2018 Minnesota employers will have to fill over 180,000 STEM-related jobs.

So I wrote an amendment to provide funding to support partnerships between local schools, businesses, universities, and nonprofit organizations to improve student learning in STEM subjects. My amendment says that each State can choose how to spend and prioritize these funds, which can support a wide range of STEM activities, from in-depth teacher training, to engineering design competitions, to improving the diversity of the STEM workforce.

States can also use these funds to create a STEM Master Teacher Corps, which is based on my legislation called the STEM Master Teacher Corps. This will offer career-advancement opportunities and extra pay to exceptional STEM teachers and help them serve as mentors to less-accomplished teachers.

Today, it is getting harder and harder for students to pay for college. That is why the Presiding Officer, the good Senator from Louisiana, and I worked—and the way the cameras work, you can't see the Presiding Officer because I am talking; it is BILL CASSIDY of Louisiana—we worked together to help reduce the cost of college while kids are still in high school.

Our amendment provides funds to cover the costs of advanced placement and international baccalaureate exam fees for low-income students. When I did college affordability roundtables, I found students who had taken an AP course but were afraid to spend the money for the test in case they did not get the 3, 4 or 5, which gave them a credit. So this will help those students do that.

Our amendment also includes dual enrollment programs and early college high schools. In Minnesota, we call them postsecondary educational opportunities. These are two other models that help students earn college credit while in high school, and by participating and succeeding in these programs, students can save a lot of money toward college by getting college credits.

The academic programs I have mentioned are critical to our children's success in school, but many kids also need additional support to help them succeed in school. For example, school counselors respond to a wide range of student needs, from dealing with the aftermath of traumatic events to school bullying, to the college admissions process and career advising. But we have a shortage of school counselors in this country.

Unfortunately, the ability of school counseling professionals to assess students is often hindered by a high student-to-counselor ratio, often two or three times the recommended amount. In Minnesota, we have 1 counselor for every 700 students. That is unacceptable. So I wrote a provision that addresses this critical need by authorizing the Elementary and Secondary School Counseling Program in the Every Child Achieves legislation.

Federal grants like this one will help States and districts address these high ratios between students and counselors and bring more trained professionals into schools. Another critical support for students is afterschool programs. Senator LISA MURKOWSKI from Alaska and I worked on an amendment together to fund 21st Century Community Learning Centers because these afterschool programs play a critical role in increasing student achievement, keeping students safe, and helping out working families.

There are over 100 21st Century Community Learning Centers across my State of Minnesota, and these centers provide high-quality afterschool activities to help address the physical, social, emotional, and academic needs of the students they serve. Senator MURKOWSKI and I worked on another amendment to help American Indian students. Our amendment would fund Native language immersion programs throughout Indian Country because language is critical to maintaining cultural heritage. Native students who are enrolled in language immersion programs have higher levels of student achievement, high school graduation rates, and college attendance rates than their Native American peers in traditional English-based schools.

Again, I am very pleased that with the help of my colleagues, I was able to include all of these amendments in the legislation we are considering today. These provisions will help hundreds of thousands of students throughout the country reach their full potential.

Lastly, I would like to speak in support of Senator PATTY MURRAY's and Senator JOHNNY ISAKSON's early learning amendment that was included in the bill and Senator BOB CASEY's floor amendment called strong start for America, which also expands access to early childhood education. This is so important. The achievement gap between disadvantaged students and their peers is evident before they enter kindergarten.

Early childhood programs can help narrow this gap. In fact, high-quality early childhood education programs not only help prepare our children for school, study after study shows there is a tremendous return on investment in high-quality early childhood education, ranging from $7 to $16 for every $1 spent. Kids who attend a high-quality early childhood program are less

likely to be special ed kids or to need special education programs, less likely to be held back a grade. They have better health outcomes, the girls are less likely to get pregnant in adolescence, they are more likely to graduate high school, more likely to go to college and graduate from college and have a good job and pay taxes, and much less likely to go to prison.

I have been a big supporter of investing in early childhood programs for years because it is simply just common sense to do. That is why I support Senator CASEY's amendment. More generally, No Child Left Behind is long overdue for the right kind of reform. With the leadership of Chairman ALEXANDER and Ranking Member MURRAY, my colleagues and I on the HELP Committee have worked hard to incorporate the lessons we have learned from teachers, students, parents, and school administrators and put them into this legislation.

We have made tremendous progress on this bill, but we still have some work to do before it becomes law. We need to close the achievement gaps in this country. That means we should expect States to focus on all of their students, including low-income and minority students. At its core, the Elementary and Secondary Education Act, passed first in 1965, is a civil rights bill that was intended to improve equality and expand opportunity for disadvantaged students.

So I look forward to continuing to work with my colleagues to strengthen the accountability provisions in this bill. I urge my colleagues to support the Every Child Achieves Act of 2015 so we can keep working to support all of our Nation's students.

Finally, I want to flag something that is very important to me. I have a pending amendment to Every Child Achieves that I care an enormous amount about, the Student Nondiscrimination Act, which will give LGBT—lesbian, gay, bisexual, and transgender students the protection they need and deserve in school. I will come back to the floor to discuss that amendment at length.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

OBAMACARE

Mr. HATCH. Mr. President, I rise to talk about an issue that will have serious negative consequences on the lives and the livelihoods of millions of Americans and threaten our already muddled and beleaguered health care system. Ever since the partisan and rushed passage of the so-called Affordable Care Act, I have come to the floor dozens of times to shine a light on the problems associated with this law and to call for a swift repeal and replacement.

I have not been alone. Many of my colleagues have been working to make this case as well. Truth be told, this has not been an altogether difficult case to make. Indeed, the data has repeatedly shown that ObamaCare, despite the many claims of its proponents, simply is not working. We have seen more evidence of this in just the past few days. For example, in a recent New York Times article, we all read about the dramatic proposed increases in health insurance premiums due to ObamaCare's expensive mandates and regulations.

Now, many plans are proposing rate increases that average 23 percent in Illinois, 25 percent in North Carolina, 31 percent in Oklahoma, 36 percent in Tennessee, and 54 percent in Minnesota. I don't know about the Presiding Officer, but my constituents find this unnerving. After all, one of the President's chief justifications for his health care law was that it would actually bring down the cost of health care. Once again, we are seeing that this is just another one of the many empty ObamaCare promises.

But even more frightening than these proposed rate increases are the root causes of the increases. In the recent New York Times article, Nathan T. Johns, the chief financial officer of Arches Health Plan, which operates in my home State of Utah, was quoted as saying: ''Our enrollees generated 24 percent more claims than we thought they would when we set our 2014 rates.''

This, according to Mr. Johns, led to a collection of just under $40 million in premiums, while the company had to pay out more than $56 million in claims for 2014. As a result, Arches Health Plan has proposed rate increases averaging 45 percent for 2016 in order to remain viable. Now, I know this was not at all the intention of my Democratic colleagues who voted for this bill, but it is because of this and a myriad of other unintended consequences that ObamaCare has consistently polled below 50 percent approval since the day it was signed into law.

Indeed, according to a compilation by Real Clear Politics, of the 405 polls collected since the law passed in March of 2010, 391 reported a majority of Americans opposing or having negative views toward ObamaCare. Unfortunately, President Obama seems to be disconnected from this reality. In a recent trip to Tennessee, the President called for consumers to put pressure on State insurance regulators to scrutinize the proposed rate increases. He then suggested that if commissioners do their job and actively review the rates, his ''expectation is that they'll come in significantly lower than what's being requested.''

But as Roy Vaughn, vice president of the Tennessee BlueCross plan stated:

> There's not a lot of mystery to it. We lost a significant amount of money in the marketplace, $141 million, because we were not very accurate in predicting the utilization of health care.

Yet President Obama fails to grasp the simple mathematics of the problem. He is not alone. In response to the President's call for scrutiny, the Tennessee insurance commissioner was quoted as saying she would ask ''hard questions of companies we regulate to protect consumers.'' Forgive me, but I fail to understand what hard questions there are to ask. If I own a business that takes in $100 million in revenue but pays out $120 million in expenses, I will not be solvent for very long.

What is perhaps most disconcerting to me in all of this are the responses these patients get from officials in the Obama administration. For example, in response to concerns about those premium hikes, Health and Human Services Secretary Burwell recently argued that patients should not worry because there are tax subsidies available to help cover the cost. She also said they could simply shop for cheaper plans on the exchanges during the next open enrollment period.

Of course, in a world where insurance plans across the country are requesting rate increases of 26—well, 20, 30, 40, or even 50 percent or more, one has to wonder just how many cheaper plans will be available and how many sacrifices patients will have to make in their care in order to get significant savings. While many seem to believe the Affordable Care Act received a reprieve from the Supreme Court, I think we are actually witnessing a downward spiral of ObamaCare. I cannot help but question what supposed solutions my friends on the other side of the aisle will come up with next.

Anyone who is being honest and who is listening to the American people should recognize that ObamaCare needs to be replaced with real, patient-centered reforms that are designed not to control the marketplace but to actually reduce the costs for hard-working patients and taxpayers. I am a coauthor of such a plan, which we have called the Patient CARE Act. This legislative proposal, which I have put forward along with Senator BURR and Chairman FRED UPTON in the House, will reduce the cost of health care in this country without all of the expensive mandates and regulations that are causing these major increases in health insurance premiums.

I have talked about our proposal many times on the floor. I will continue to do so. I know there are other ideas out there, and I think we should consider and evaluate those as well. Put simply, I am willing to work with anyone on either side of the aisle to fix our Nation's health care system and to protect the American people from the negative consequences of this misguided law.

My hope is that more of our colleagues on the other side will eventually see what the majority of the American people have seen for more than 5 years: The problems with ObamaCare are not minor flaws that can be fixed with a little regulatory tinkering. They are fundamental flaws.

The only answer is real reform, which addresses the skyrocketing costs of health care in America.

With that, you can see that I am very, very concerned about ObamaCare and the fact that it is breaking America. It is not working. Costs are going up in a rapid basis. People are not being well served. The emergency rooms, which were supposed to be spared from all of this, are just full of Medicaid and Medicare patients who cannot find doctors now. Doctors are leaving the profession because of ObamaCare, in large measure, and we can't get help to those who really need the help because of the many restrictions in ObamaCare.

All I can say is that sooner or later we have to get off of our high horse, look at this, and look at it in a very effective, nonpartisan way, and either change it or get rid of it and replace it with something that will work much better and will be something the American people can live with.

There were approximately 35 million people who did not have health insurance before ObamaCare. That was a big issue. The President has cited that many times. Guess how many don't have insurance now with ObamaCare—how about 30, 35 million people.

So has this just been a big boondoggle so the President can take credit for something that doesn't work or are we going to do the thing that we all should as Members of Congress in the best interests of our citizens and change this bill and get one that really does work?

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, once again we find ourselves on a Thursday afternoon doing some final business before everybody returns home to meet with their constituents and do that work. I must say how much I appreciate your kind words and your attention when we have been talking about those North Dakotans who were killed in action in Vietnam.

This week the Senate commemorated that 50-year anniversary, and I know there are so many Members who care deeply. I know the Presiding Officer is among those Members. So I thank the Presiding Officer for his attention and his appreciation for the sacrifices of the men who I talk about weekly.

I rise today to speak about the men from North Dakota who died while serving in the Vietnam war. We are currently in a 13-year commemoration period honoring the veterans of the Vietnam war. I had the privilege to learn from families of North Dakotans who died in the war about their loved ones—who their loved ones were and who they hoped they would be.

Before speaking today about some of the 198 North Dakotans who didn't return home from Vietnam, I publicly thank Dave Logosz for his service to our State and our Nation.

Dave is a Vietnam veteran from Dickinson. Dave had plans to become a mechanical engineer and enroll at Dickinson State University in art and engineering. After his first quarter, he decided to enroll in NDSU instead, but he was drafted before classes in Fargo began.

In 1969, he landed in Vietnam in the Army's 25th Infantry Division as a sniper. He says that his year in Vietnam was a long, tough one. He was injured more than once while serving there.

After David returned, he suffered from post-traumatic stress, but he didn't admit it until several years ago. He says the VA counseling that he has received has made a huge difference for him.

After his service in Vietnam, Dave worked for over two decades at the Dickinson plant until it closed, and then he worked for the North Dakota Department of Transportation. He says he is happily retired now.

Dave belongs to every veterans service organization he knows of. A few years ago, he and his wife hopped on Dave's Harley and rode from coast to coast on a veterans memorial bike ride. They ended their trip at the Vietnam Veterans Memorial wall in Washington, DC—among a total of over 68,000 motorcycles and 911,000 people who were there. There Dave saw for the first time the name of his fellow soldier, Carl Berger, also from North Dakota.

Dave was with Carl when he was killed in Vietnam, and Dave carried Carl off the battlefield. Dave said that the experience of seeing Carl's name and visiting the Vietnam Veterans Memorial wall was emotional and heartwarming, and it gave him an idea. To give something back to his own community, Dave decided to build a veterans memorial honoring all servicemembers from Stark County.

So 3 years ago, inspired by the Vietnam Veterans Memorial wall in Washington, DC, he began with his idea for a memorial in Dickinson. He expects to have the memorial completed this summer.

The city of Dickinson donated space for the memorial park, and the memorial will consist of concrete and Vermont granite, listing the names of every person from Stark County who has served in the military since the Civil War and will include space for future names.

The entire memorial is 100 feet in diameter, includes 14 granite benches, and hundreds of bricks that individuals can personalize. Local artist Linda Little sculpted a 6-foot-5-inch bronze statue of a soldier saluting the panels of names.

I really can't wait to see this memorial when it is completed and to thank Dave for his vision and hard work.

Now I wish to talk about Carl Berger and 10 other North Dakotans who gave the ultimate sacrifice during their service to our country.

CARL BERGER, JR.

Carl Berger, Jr., a native of Mandan, was born August 23, 1948. He served in the Army's 25th Infantry Division. Carl was 21 years old when he died on April 3, 1970.

Carl was the youngest of 13 children who grew up on the family farm. His nieces and nephews remember him as their fun-loving uncle. Growing up, Carl attended high school at the Richardton Abbey and played the French horn.

Carl's siblings remember having fun on their farm herding sheep and working together in the fields with the cattle and chickens. His sister Marian said that Carl was a genuine hard worker, and she is grateful that her children had an opportunity to know a man as wonderful as their Uncle Carl.

Carl was killed in Vietnam less than 2 months after starting his tour of duty.

The family cherishes the memories of that last Christmas they all spent together before Carl went to Vietnam. Carl's parents were devastated by his death, but they were also very proud of their son, who served their country. Carl's funeral was held during a blizzard, but despite that bad weather, the church was full.

LAURENCE ZIETLOW

Laurence Zietlow, a native of New Salem, was born August 30, 1928. He served as a sergeant major in the Army. Laurence was 39 years old when he died on October 3, 1967.

Laurence's desire to join the Army was so strong that he enlisted before graduating from high school. During his graduation ceremony, his diploma was given to his mother, Sophie Zietlow.

Prior to serving in Vietnam, Laurence also spent tours of duty in Japan, Germany, and Korea. Laurence's sister Leone said that a lot of Laurence's friends have told her how great a guy he was and that he would have given the shirt off his back. Laurence's sister Helen told her local newspaper that he didn't talk about many experiences from Vietnam, but he did describe buying gifts for Vietnamese children living in orphanages.

Laurence was killed in Vietnam when a landmine exploded near him. He was recognized with several awards, including the Air Medal, the Military Merit Medal, the Gallantry Cross with Palm Medal, the Purple Heart, and the Bronze Star.

In addition to his mother and siblings, Laurence was survived by his three children: Larry, Terry, and Kristi.

KENNETH ''KENNY'' JOHNER

Kenneth ''Kenny'' Johner enlisted while living in Noonan, and he was born on December 29, 1946. He served in the Marine Corps' 3rd Marines, 3rd Marine Division. Kenny died on March 21, 1967. He was only 20 years old.

Kenny was the third of 15 children. He enlisted in the Marines right after graduating from Noonan High School. He and two of his brothers, Gene and Jerry, made North Dakota history as the first three brothers in the State to enlist in the Marines at the same time. Two other brothers, George and Brian, also joined the Marines later.

Their mom Helen says the oldest three boys were so close that one wouldn't even go to prom if the others didn't.

Regarding his service in Vietnam, Kenny told his mother many times, ''God has a different plan for me. I am on a special mission and I won't be here very long.''

In Vietnam, a few days before Kenny was scheduled to travel to Okinawa to meet his brother Gene for R&R, Kenny was wounded. About 3 weeks later, Kenny died from his wounds.

In appreciation for the sacrifices he made, Kenny's family has named a nephew and a grand-nephew after him.

RONALD ''COOKIE'' MCNEILL

Ronald ''Cookie'' McNeill was born March 29, 1949, and he was from Mott. He served in the Marine Corps' 1st Battalion, 7th Marines, 1st Marine Division. He was 21 years old when he died on August 4, 1970.

Ronald was one of four children and everyone called him Cookie. He got the nickname Cookie as a baby because his older brother Rick couldn't say Ron, so he named him Cookie and the name stuck.

Rick said Ronald loved hunting and fishing, and Rick remembers the times the boys were playing hockey together on a nearby river and ended up with 11 stitches between the two of them.

Ronald joined the Marine Corps shortly after graduating from high school. He died less than 3 months after starting his tour of duty in Vietnam.

In addition to his siblings, Ronald left behind his wife Beverly and their son Barry.

DOUGLAS KLOSE

Douglas Klose was from Jamestown, and he was born June 14, 1947. He served in the Army's 1st Infantry Division. Douglas died on October 27, 1968. He was 21 years old.

Douglas—or Doug, as he was known by many—grew up on a dairy farm. He had five siblings. According to his sister Barbara, when he was young, Douglas walked around the yard picking up ''treasures'' and stored them in his pockets. Douglas's uncle gave him the nickname ''Hunk of Junk'' because he always had junk in his pockets.

Douglas's appreciation for his family farm extended into college. He attended NDSU and studied animal science. According to his adviser who always spoke highly of him, Douglas did very well in college.

His two sisters, Barbara and Renee, remember how soft-spoken and helpful Douglas was. Renee, the youngest in the family, was Douglas's pet. He always looked out for her and he was a very loving brother.

In his free time, Douglas liked to drive around in his father's 1962 Chevrolet Impala that had a high-performance engine. His brother Dean remembers that Doug and his brothers would race the car down the street, putting the other cars in Jamestown to shame.

Dean remembers Douglas being so strong he could lift a John Deere 620 tractor with the loader attached to it. For fun, Douglas used his extraordinary strength to compete in gymnastics.

Douglas had plans to start his own farm outside of Jamestown when he returned from Vietnam, but he was killed when a grenade exploded near him.

GREGORY LUNDE

Gregory Lunde was from Westhope. He was born December 8, 1946. He served in the Marine Corps' 1st Tank Battalion, 1st Marine Division. Gregory was 21 years old when he died on February 6, 1968.

Gregory had one sister, Toni. She said she called him Greg and that he was always happy and clean and meticulous. She is thankful to him for caring for her after their mother died when Toni was 13.

After high school, Greg attended business school in Minneapolis to prepare himself to return to Westhope and help his father run a meatpacking plant.

Toni loved the care packages Gregory often sent her from Vietnam. He thought he was pretty funny when he mailed Toni a kimono and joked she would have to lose some weight to fit into it.

Gregory was killed in Vietnam when he was shot while riding on a tank.

GERALD ''GERRY'' KLEIN

Gerald ''Gerry'' Klein was born April 29, 1946. He was from Raleigh, ND. He served in the Army's 1st Infantry Division. Gerald died May 4, 1968, just days after he had turned 22 years old.

He was the oldest of five children, and his family and friends always called him Gerry. He grew up on the family's farm. His siblings said that while growing up, Gerald spent free time either working on the farm or on the family car.

While Gerald was home on leave, he became engaged to his girlfriend. After completing his service in Vietnam, he planned to live on the family farm with his future wife.

His brother Bob said that Gerald was a strong, brave man who wanted to be happy. His family appreciates the letters he sent them while serving.

The day he died, Gerald was injured but chose to continue fighting. Shortly after, he was shot and killed. He would have only had a very few weeks left of his service in Vietnam.

I want to thank the Bismarck High School 11th graders and Gerald's family who have shared with us these facts about Gerald's life.

FLORIAN KUSS

Florian Kuss was from Strasburg, and he was born December 28, 1946. Florian served in the Army's 196th Infantry Brigade, Americal Division. Florian died January 5, 1968, just days after he turned 21 years old.

There were seven children in his family. Florian's two brothers, Victor and Frank, also served their country in the military.

Florian grew up working on his family's farm, where they raised dairy cows, chickens, pigs, wheat, oats, corn, and alfalfa. Florian's plan after completing his service was to return to the family farm and continue his farming career.

His brother Art said the family appreciates the time Florian spent taking care of their sick father before Florian was drafted. Their father died less than a year after Florian was shot and killed in Vietnam.

Florian's sister Betty said Florian's death caused a hole in the family that will never be filled. They think about Florian all the time.

Florian was awarded the Purple Heart, the Good Conduct Medal, and the Bronze Star for Valor in recognition of his service and sacrifice.

DAREL LEETUN

Darel Leetun was from Hettinger, and he was born December 24, 1932. He served as a pilot in the Air Force. Darel was 33 years old when the plane he was flying was shot down on September 17, 1966.

Growing up, Darel enjoyed sports, 4–H, and spending summers at his aunt's farm near Fessenden. He was the oldest of four children, and his siblings appreciate how he cared for and supported them and their mother after their father died when they were all young.

Darel's family said he got along with people well and had great leadership skills. His sisters Janelle and Carol said Darel never put himself first.

Right after graduating from NDSU, Darel spent time teaching about agriculture in India. He then joined the Air Force and was stationed in England, Japan, and Vietnam.

In Vietnam, Darel completed nearly 100 flying missions before his plane was hit by ground fire and crashed. The Air Force presented Darel with many awards, including the Air Force Cross, in recognition for his extraordinary heroism that day. His Air Force Cross citation read, in part:

Captain Leetun led a mission of F–105 Thunderchiefs against a heavily defended high priority target near Hanoi. Undaunted by intense and accurate flak, deadly surface-to-air missiles, and hostile MiGs, Captain Leetun led his flight through this fierce environment to the crucial target.

On the bomb run, Captain Leetun's Thunderchief was hit by hostile fire, becoming a flaming torch and nearly uncontrollable; however, Captain Leetun remained in formation and delivered his high-explosive ordnance directly on target.

After bomb release, Captain Leetun's plane went out of control and was seen to crash approximately 10 miles from the target area.

Through his extraordinary heroism, superb airmanship, and aggressiveness in the face of hostile forces, Captain Leetun reflected the highest credit upon himself and the United States Air Force.

Over 39 years later, in 2005, Darel's remains were identified, and he was buried with full military honors at Arlington National Cemetery.

Darel's widow Janet, son Keith, and daughter Kerri have been honored to hear from airmen who flew with Darel who told the family that Darel was one of the best pilots they ever flew with.

Darel's son Keith was just 6 years old when his father died. But through providence, Keith has been connected to his father. He is especially grateful for the day in 1992, at a Virginia golf course, when he met his father's wingman from the final mission. That wingman's name is Mike Lanning. When Mike learned that Keith was Darel's son, Mike said:

Your dad was the heart and soul of the squadron. He was my mentor and best friend.

Mike and Darel's siblings have all told Keith that Darel was always going to bat for people until the day he died. Darel was not scheduled to fly that day but did so because another man couldn't.

Keith is currently writing a children's book highlighting how something as bad as his father's death could turn into something positive, such as learning about and telling inspiring stories of heroes.

RALPH MCCOWAN

Ralph McCowan was from Trenton. He was born April 26, 1948. He served in the Army's 41st Artillery Group. Ralph died April 3, 1968, a few weeks before he would have turned 20.

There were nine children in his family, and his father, brothers, sisters, uncles, and nephews also served our country in the military. Ralph's brother, Gene, said service to our country was deeply rooted in their family.

Ralph told his family he wanted to be a warrior and do his part. He was an unassuming man who had a love for horses and a love for people. Gene said Ralph had a short life but a good one.

Ralph served for 69 days in Vietnam before he was killed at his fire base camp. The family cherishes their memories of their last Christmas together in 1967.

VALARIAN LAWRENCE FINLEY

Valarian Lawrence Finley was born November 17, 1947. He was from Mandaree. He served in the Marine Corps' Kilo Company, 3rd Battalion, 5th Marines, 1st Marine Division. Valarian was 21 years old when he died in May of 1969.

Valarian was the third youngest of 13 children born to Louise and Evan Finley. Valarian's family and his friends called him Gus. He had plans to run a cattle ranch after returning home from Vietnam.

Valarian's siblings are grateful for Valarian's fellow marines reaching out to visit them about Valarian and his heroic death and how he saved their lives.

Valarian was killed 1 week before his tour of duty was scheduled to end, on his brother Bobby's high school graduation day.

Bobby also served in Vietnam. Bobby was drafted and served in Vietnam shortly after Valarian was killed. He is now suffering from cancer caused by exposure to Agent Orange in Vietnam.

Valarian was included in the 1969 Life Magazine feature titled ''The Faces of the American Dead in Vietnam: One Week's Toll.'' That article listed 242 Americans killed in 1 week in connection with the conflict in Vietnam. Life Magazine published photos for almost all the men killed and wrote the following in that article:

More than we must know how many, we must know who. The faces of one week's dead, unknown but to families and friends, are suddenly recognized by all in this gallery of young American eyes.

My intentions for speaking about the North Dakotans killed in Vietnam are similar. We must know more than how many, we must know who.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

EVERY CHILD ACHIEVES ACT

Mr. WYDEN. Mr. President, this week we are having a particularly important debate. Fortunately, it is a bipartisan debate. Great credit is owed to Senator ALEXANDER and Senator MURRAY for their work on the Every Child Achieves Act. This bill is a significant piece of legislation because educational opportunity in America is a right which should start at birth and last a lifetime.

As a parent, I know that mothers and fathers want their kids to be able to climb the economic ladder throughout their lives. That effort begins with a top-flight education. In my view, the Every Child Achieves Act is a good step toward expanding opportunity for students nationwide. It is built around the proposition that each school, each district, and each community is different. So rather than resorting to the sort of one-size-fits-all policies, this legislation focuses on trying to build on smart ideas, ideas with real promise that are actually going to make a big difference in classrooms.

I am going to get to several amendments I want to highlight, but I wish to start by recognizing some vital components of the legislation I have strongly supported.

The most important proposal I have worked on is one that focuses on raising graduation rates. This is one of the major economic challenges in my home State and many other States across the country. In Oregon, more than 100 high schools with high rates of poverty are blocked from tapping into Federal resources that can help important programs—programs such as mentoring, before- and afterschool programs, programs where there is real evidence that they can make a difference in terms of helping these youngsters.

This is not an issue just in my State. There are more than 2,000 of these schools nationwide. Because these schools are in a very difficult spot when it comes to securing Federal resources, too often the students suffer, and, in my view, the lack of resources for these schools often contributes to sky-high dropout rates.

What I will discuss here briefly is how this proposal I have worked for is going to make the school improvement grants easier for middle and high schools to obtain and use to help these students, whom we want to see graduate and make their way to productive lives as citizens and workers.

If a failing school has 40 percent or more low-income students, it would become eligible for assistance. These Federal dollars can be used, as I indicated, to fund programs that really work, such as extended learning programs, programs that would be available during the weekend or perhaps during the summer. The funds can be used to prevent dropouts and encourage students who have already dropped out to reenter the educational system. Schools can find other ways to help students stay at it and get through to graduation day. This will be a significant improvement over the status quo. What it does is provides support where it is needed most, and it will help us get more value out of scarce dollars to approach the challenge of helping students who are dropping out to get back in the system and graduate.

I am also pleased to see the inclusion of several provisions championed by my colleague Senator BOXER to create more opportunities for students to enroll in afterschool programs and summer learning programs. In today's economy, with so many families walking on an economic tightrope—parents working long hours, multiple jobs—the fact is, there can't always be a parent around at 3 in the afternoon when kids get out of school or during the summer months. Senator BOXER really took the initiative for the 21st Century Community Learning Centers Program and the After School for America's Children Act. Both of them are worthy of support because they go to bat for students by providing extra learning opportunities for children both after school and in the summer.

There are other key elements in this legislation, but the Senate ought to seize the opportunity in this debate to make some significant improvements. The Every Child Achieves Act can go a lot further to raise graduation rates. There are more than 1,200 high schools, serving more than 1.1 million kids, that are failing to graduate a third or more of their students each year. Too often, it is the minority youngsters who live in economic hardship who attend these schools.

Senator WARREN and I are on the same page with respect to the need to

make it possible for more of the young people who go to these schools to get to graduation. Her amendment would help identify the struggling schools and provide some fresh approaches to help turn them around—a smart idea that I believe warrants bipartisan support.

Finally, I have just a couple other approaches that I think are particularly valuable in terms of this debate and particularly how we can use the machinery of the Federal Government to play a constructive role in terms of education at the local level.

Senator BOOKER and I have worked for an amendment that tries to help homeless children and foster youngsters graduate from high school. Once again—and we can see it in kind of what undergirds my remarks here—the focus is on trying to create opportunity for young people who constantly are out there swimming upstream. The hurdles these youngsters face are obviously large. Many of them move frequently, constantly, from one place to another throughout their lives. As a result, it is hard for them to feel any connection to the school, to feel some sense of stability. What Senator BOOKER and I would seek to do is to make it easier for school districts and policymakers to try to help those school districts provide additional support for those youngsters who are homeless and those children who are in the foster care system.

Finally, Senator FRANKEN has offered an important proposal—the Student Non-Discrimination Act—that provides strongly needed protection for LGBT students. Schools ought to be safe and welcoming places that assist every child in getting ahead and thriving. If schools—particularly for the youngsters I have talked about in my remarks—aren't challenging enough, it is hard to imagine how much harder it gets for a youngster who faces harassment or discrimination because of their sexual orientation. The Franken amendment goes a long way to protect LGBT students and their friends at school and prevent them from feeling they have to skip class to avoid bullying.

In wrapping up, the kinds of proposals I have outlined—starting with the effort to try to prevent students from dropping out and getting up the graduation rates—this is all about helping students get ahead through education, to expand opportunities for these young people throughout their lives through education.

What the focus of the Senate ought to be is to make sure that no matter where a child lives or how much his or her parents earn or what obstacles they face—the message ought to be, here in the Senate, with every Democrat and every Republican, picking up on what Chairman ALEXANDER and Senator MURRAY have said, that this bill will help to drive home the principle that hard work in school leads to success. I believe the Every Child Achieves Act is a good step in that direction. I urge my colleagues to support these important amendments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE 150TH ANNIVERSARY OF THE SECRET SERVICE

Mr. HATCH. Mr. President, I rise today to pay tribute to the U.S. Secret Service and to commemorate its 150th anniversary.

In 1865, Congress created the Secret Service to combat the production and distribution of counterfeit currency in post-Civil War America. At the time, currency counterfeiting was a fast-growing and serious threat to our Nation's financial and economic stability.

In 1901, following the assassination of President William McKinley, Congress further directed the Secret Service to take responsibility for the protection and safety of the President of the United States.

Today, 150 years after the Secret Service's founding, the men and women of the Secret Service continue to serve with quiet confidence across the United States and around the world as they protect our Nation against threats both foreign and domestic. From ensuring the security of the President, other senior government officials, and events of national significance, to protecting the integrity of our currency and investigating crimes against our financial system, the U.S. Secret Service plays a critical role in our Nation's safety and continued success. The contributions, sacrifices, and achievements of the Secret Service over the last 150 years have made the agency an indelible part of our Nation's identity.

The five points of the Secret Service star represent the Service's core values of duty, justice, courage, honesty, and loyalty. These values have been the Secret Service's foundation for the past century and one-half and will continue to be the foundation on which the Service's next 150 years—and the Nation's security—are grounded.

On this, the 150th anniversary of the U.S. Secret Service, I call upon my colleagues and upon all Americans to recognize the tremendous contributions the Secret Service has made to our Nation's safety and well-being. I also express my thanks to the thousands of dedicated Secret Service agents and employees who devote their time and energy to keeping our Nation, and our leaders, safe and secure.

REMEMBERING PRESIDENT BOYD K. PACKER

Mr. HATCH. Mr. President, I rise today to honor the memory of President Boyd K. Packer—a man of integrity, kindness, courage, and candor whose commitment to Christ defined a lifetime of service. President Packer passed away peacefully in his home last week with his loving wife and children gathered at his bedside. Along with his family, I join millions of Christians worldwide in mourning the loss of a man who served faithfully for many years as the president of the Quorum of the Twelve Apostles in the Church of Jesus Christ of Latter-day Saints. As an apostle, President Packer's teachings brought strength to the weary and hope to the hopeless. For those of us who mourn, we turn to these teachings to find peace amid the sadness of his passing.

Even as we grieve the loss of a leader, we celebrate the life of a friend. President Packer was a man whose selfless nature often masked his greatness, but not even his humility could hide a lifetime of achievement. From humble beginnings in Brigham City, UT, President Packer developed as a teacher and later as a leader in the Church of Jesus Christ of Latter-day Saints.

President Packer's upbringing was modest to say the least—his father was a service station operator and his mother was a homemaker. Raised against the backdrop of the Great Depression, he learned from an early age never to take anything for granted, especially the freedoms we enjoy as Americans.

President Packer would later defend those freedoms when he enlisted in the Army Air Corps during World War II. As a pilot serving in the Pacific Theater, President Packer flew dozens of dangerous missions and continued to serve after the war when he and his fellow soldiers worked to rebuild the shattered nation of Japan. Although President Packer dreamed of flying planes as a young boy, it was during his military service that he discovered his true life calling: to become a teacher.

When he returned to the United States, President Packer pursued that goal through his studies, eventually earning a doctorate in education administration from Brigham Young University. He quickly distinguished himself as an LDS Seminary teacher and later became the chief supervisor over the Church's seminary programs and Institutes of Religion. When President Packer was just 45 years old, he became an apostle—a calling he would serve in and magnify until the day he died. Even as an apostle, President Packer still saw himself as a teacher, and he endeavored to expound truth in simple ways that all could understand. The candor and clarity of his teachings touched the hearts of millions, as did President Packer's genuine love for those he served.

As a soldier and an educator, an administrator and an apostle, President Packer served in many different capacities throughout his life. But first and foremost, he served as a husband and a

father. For President Packer, fatherhood was a sacred responsibility that took precedence over everything else. He was a father of 10, a grandfather of 60, and a great-grandfather of 103. Neither work nor church service could keep him from caring for those he loved most. President Packer always set aside time for his family, and at every opportunity, he sought to educate his children and instill in them the anchor of faith—the same enduring faith that inspired all who heard his teachings.

President Packer's devotion to God was steady and unwavering, but just as sure and steadfast as his faith was his wife, Donna, his constant companion and able helpmeet who stood by his side for more than 67 years. In his final address to members of the LDS Church, President Packer expressed tender feelings for Donna:

> When it comes to my wife, the mother of our children, I am without words. The feeling is so deep and the gratitude so powerful that I am left almost without expression . . . I am grateful for each moment I am with her side by side and for the promise the Lord has given that there will be no end.

I know Donna finds peace in that promise, and I pray that her family does too. May God's love might abide with them at this difficult time, and may His love be with all of us who mourn the passing of President Boyd K. Packer.

FIFTY YEARS LATER, RECALLING THE VIETNAM WAR AND THOSE WHO FOUGHT IN IT

Mr. DURBIN. Mr. President, this week the United States held a special ceremony to commemorate one of the longest wars in our Nation's history—the Vietnam war. It was a ceremony to honor the men and women who served in that long and searing conflict, especially the more than 58,000 young Americans who did not come home from the battle.

The Congressional ceremony was held to commemorate what organizers, including the Department of Defense, call the 50th anniversary of the Vietnam war. The milestone is a little ambiguous. You see, it was 50 years ago, on March 9, 1965, that the first U.S. combat forces—3,500 members of the 9th Marine Expeditionary Brigade—arrived at the port city of Da Nang, in what was then the Republic of South Vietnam.

The arrival of those young Marines marked the beginning of a massive U.S. military buildup that lasted nearly a decade. But America's military presence in Vietnam actually began several years earlier, with the deployment of military advisors to assist the South Vietnamese armed forces.

All told, 9.2 million Americans served in uniform during the Vietnam war; 7.2 million Vietnam-era veterans are still with us, along with 9 million families of Vietnam-era veterans.

Most of the men who served in Vietnam came home to build successful careers and strong families. More than a few went on to serve in Congress and we have benefited greatly from their wisdom and continued commitment to duty.

I think of my friend, Senator JOHN MCCAIN, who endured unspeakable cruelty for years as a prisoner of war in North Vietnam. He could have been released from that hell years earlier but he refused to leave while other American servicemembers remained captive.

Senator MCCAIN has been a powerful voice in calling for America to honor our commitments under the Geneva Conventions to never use torture—to remain true to our word and our values even in war. I respect him deeply for his principled stand.

I think of other friends and former members of this Senate who served in Vietnam. Bob Kerrey, the former Governor and U.S. Senator from Nebraska, lost a leg while serving as a Navy SEAL in Vietnam. He was awarded the Congressional Medal of Honor.

Chuck Hagel, another Nebraskan, served as an Army sergeant in Vietnam alongside his brother Tom. He came home to build a successful business career, got elected twice to the U.S. Senate, and went on to serve as America's Secretary of Defense.

John Kerry was a diplomat's son—truly, a ''fortunate son''—who served with distinction in Vietnam as a Navy lieutenant from 1966 to 1970. When he returned home, he became an eloquent voice among those calling for an end to the war in which he had fought. He went on to serve his State of Massachusetts as Lieutenant Governor and then represented his State for nearly 30 years in this Senate. He now represents our Nation's interest on the world stage as U.S. Secretary of State.

One of the bravest men I have ever met served in Vietnam and then served in this Senate. His name is Max Cleland. Max went to Vietnam as a 6-foot, 2-inch marine. One day in Vietnam he stepped on a landmine. The explosion ripped off both of his legs and one of his arms. Max Cleland went on to serve in the Veterans Administration under President Carter and later as a member of this Senate—an amazing man.

In all, more than 153,000 U.S. servicemembers were gravely wounded in Vietnam—wounded seriously enough to require hospitalization.

Others sacrificed even more; 58,220 American servicemembers were killed in action during the Vietnam war.

The Americans who died in Vietnam ranged in age from 6 years old to 62. Six in 10 were just 21 years old or younger. Their names are carved into that sacred slab of black marble, the Vietnam Veterans Memorial, on the National Mall in Washington, DC.

In the four decades since the end of the war, thousands more Vietnam veterans have died from physical and psychic injuries suffered in that war—dying from causes ranging from cancers caused by exposure to the deadly chemical defoliant Agent Orange, to the agonies of post-traumatic stress.

Fifteen years ago, Congress authorized the placement of a plaque near ''The Wall'' to honor these ''men and women who served in the Vietnam War and later died as a result of their service.'' We remember and honor their service, too.

Every American my age and a decade or so younger knows someone who died in Vietnam or a friend whose father, brother or husband never came home. These young men are still missed deeply by their families and friends and remembered by a grateful nation.

The city I grew up in, East St. Louis, IL lost 56 young men in Vietnam.

The City of Chicago lost 959 young men in the Vietnam war. Let me tell you about one of them: Marine Lance Corporal Mike Badsing. He was among those first 3,500 Marines who landed at Da Nang 50 years ago—a rifleman in the 3rd Marine Division, 1st Battalion, 9th Marines, C Company. The 1st Battalion suffered the highest casualty rate of any Marine battalion in any war—a grim distinction that led North Vietnam's Communist President Ho Chi Minh to call them ''The Walking Dead.'' The nickname stuck.

Mike Badsing attended St. Edward grammar school, where he played football, basketball, and Chicago 16'' softball. He was the youngest of five kids. One of his older sisters is a nun today.

He left Chicago for Vietnam on Christmas Eve 1964. About 10 months later, Sept. 6, 1965, his platoon came under fire and Lance Corporal Badsing was hit in the abdomen by a sniper shot, becoming the first Chicago-area Marine killed in combat in Vietnam.

He was buried in All Saints Cemetery in Des Plaines, IL. A half-century later, Marines still visit his grave, often drinking a few Old Style beers in their friend's memory.

My adopted hometown of Springfield, IL—also President Lincoln's adopted hometown—lost 40 young men in combat during the Vietnam war. Among them was an Army helicopter pilot named Captain Michael Davis O'Donnell.

Mike O'Donnell died on March 24, 1970, when a rescue helicopter he was piloting crashed in dense jungle in Cambodia, 14 miles over the Cambodia-Vietnam border. He had gone into Cambodia to rescue a Special Forces reconnaissance team that was about to be overrun by enemy soldiers. He and his crew had gotten all eight members of the Special Forces team safely on board and were taking off when their ''Huey'' helicopter was hit twice by enemy missiles. It was 1 week before President Nixon announced publicly that American forces were even in Cambodia.

All 12 men aboard Mike O'Donnell's Huey died, but it wasn't until 2001 that their remains were identified and returned. Today, they lie buried together at Arlington Cemetery.

Mike O'Donnell was 24 years old when he died. He was promoted posthumously to the rank of major.

In addition to being a soldier, Mike O'Donnell was a talented musician and a poet. During his life, he shared his poems with only a few close friends. After he died, soldiers in his unit found a notebook he kept, filled with 22 of his poems, which they saved and brought home.

Just as ''In Flanders Fields'' has become the unofficial homage to World War I, a poem by Michael Davis O'Donnell has become the unofficial poem of the Vietnam war. It begins with the words, ''If you are able, save them a place inside of you.'' Google that line and you will find nearly 75,000 hits.

Mike O'Donnell's poem was carried in combat by untold thousands of men who served in Vietnam. It was read at the dedication of ''The Wall,'' the national Vietnam War Memorial, in Washington, DC. and it is etched into many smaller Vietnam memorials across America.

Here is the whole poem:

If you are able,
save them a place
inside of you
and save one backward glance
when you are leaving
for the places they can
no longer go.
Be not ashamed to say
you loved them,
though you may
or may not have always.
Take what they have left
and what they have taught you
with their dying
and keep it with your own.
And in that time
when men decide and feel safe
to call the war insane,
take one moment to embrace
those gentle heroes
you left behind.

Captain Michael Davis O'Donnell
1 January 1970
Dak To, Vietnam

Less than 3 months after writing those words, Mike O'Donnell died.

Along with the 58,220 Americans who died there, the Vietnam war claimed the lives of more than one million Vietnamese men, women and children.

It is fitting, and it is overdue, for America to thank all of those who served and sacrificed so much in the Vietnam war. But we owe them more than speeches and ceremonies. As President Lincoln told us in his Second Inaugural Address, we have a solemn duty ''to care for him who has borne the battle.''

Six years ago I asked my friend, then-Senator Hillary Clinton, if I could introduce a bill she had been working on before she moved on to a bigger and better gig. She agreed, and I introduced a bill creating what is now called the Veterans Caregiver Program, to help the families of U.S. servicemembers severely injured in Iraq and Afghanistan. The program provides family caregivers of post 9/11 veterans who have suffered catastrophic injuries with training and a small stipend so they can care for their loved ones at home, rather than sending them to nursing homes. The program helps these families know that they are not alone and not forgotten.

Today, 20,000 veterans who served in Iraq and Afghanistan participate in the caregivers program. That is more than five times the number the VA originally estimated would sign up.

The Veterans Caregiver Program doesn't just help those families; it helps American taxpayers. Caring for severely injured veterans in the caregivers program costs the VA $36,000 per veteran, per year. Compare that to the average $332,000 per veteran, per year it costs the VA to care for these veterans in nursing homes.

When we started the caregivers program, we had to limit it to post-9/11 veterans and their families. But we know now that it works. It saves families and it saves taxpayers money.

When he chaired the Senate Veterans Affairs Committee, our colleague, Senator BERNIE SANDERS said repeatedly that we should expand the Veterans Caregivers Program. He was right.

So last March—nearly 50 years to the day after those first, young Marines landed in Da Nang—Senator BALDWIN and I introduced a bill to expand the program to U.S. veterans of all wars. Our bill is called the VA Family Caregivers Expansion and Improvement Act.

They were young once, but today the average Vietnam veteran is retired. Many still struggle with old wounds gained in service to our Nation.

As our Nation and this Congress thank them for their service 50 years ago, I hope that we can also work together in this Senate to provide Vietnam veterans the medical care and support that they and their families need today.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for July 2015. The report compares current-law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act.

This is the first report I have made since adoption of the 2016 budget resolution on May 5, 2015. I will provide these reports periodically, generally one per work period. The information contained in this report is current through July 7, 2015.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation under the budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the Congressional Budget Act of 1974, CBA. For fiscal year 2015, which is still enforced under the deemed budget resolution from the Bipartisan Budget Act of 2013, BBA, Senate authorizing committees have increased direct spending outlays by $7.8 billion more than the agreed-upon spending levels. Over the fiscal years 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent $22 million more than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropriations exceeds or is below the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. While no appropriations bills have been enacted, subcommittees are charged with permanent and advanced appropriations that first become available for fiscal year 2016.

Table 3 gives the amount by which the Senate Committee on Appropriations exceeds or is below its allocation for Overseas Contingency Operations/Global War on Terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11, and is enforced using section 302 of the CBA. No bills providing funds with the OCO/GWOT designation have been enacted thus far for fiscal year 2016.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the Crime Victims Fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. No bills have been enacted thus far for fiscal year 2016 that include CHIMPS.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

Because legislation can still be enacted that would have an effect on fiscal year 2015, CBO provided a report for both fiscal year 2015 and fiscal year 2016. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for fiscal year 2015 exceed the amounts in the deemed budget resolution enacted in the BBA by $8.0 billion in budget authority and $1.0 billion in outlays. Revenues are $79.8 billion below the revenue floor for fiscal year 2015 set by the deemed budget resolution. As well, Social Security outlays are at the levels assumed for fiscal year 2015, while Social Security revenues are $170 million above levels in the deemed budget.

For fiscal year 2016, CBO estimates that current law levels are below the

budget resolution's allowable budget authority and outlay aggregates by $886.0 billion and $526.9 billion, respectively. The allowable spending room will be reduced as appropriations bills for fiscal year 2016 are enacted. Revenues are $5 million above the level assumed in the budget resolution. Finally, Social Security outlays and revenues are at the levels assumed in the budget resolution for fiscal year 2016.

CBO's report also provides information needed to enforce the Senate's Pay-As-You-Go rule. The Senate's Pay-As-You-Go scorecard currently shows a balance of −$470 million over the fiscal years 2015–2020 period and $125 million over the fiscal years 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by $2.3 billion and increase outlays by $1.9 billion. Over the 11-year period, Congress has enacted legislation that would reduce revenues by $5.3 billion and decrease outlays by $5.2 billion. The Senate's Pay-As-You-Go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that this statement and the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1. SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (−) BUDGET RESOLUTIONS

(In millions of dollars)

	2015	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry				
Budget Authority	254	0	0	0
Outlays	229	0	0	0
Armed Services				
Budget Authority	−15	0	0	0
Outlays	0	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority	121	0	0	0
Outlays	121	0	0	0
Commerce, Science, and Transportation				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Energy and Natural Resources				
Budget Authority	0	0	0	0
Outlays	−2	0	0	0
Environment and Public Works				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Finance				
Budget Authority	7,322	0	0	0
Outlays	7,288	0	0	0
Foreign Relations				
Budget Authority	−20	0	0	0
Outlays	−20	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Judiciary				
Budget Authority	0	0	1	2
Outlays	0	0	1	2
Health, Education, Labor, and Pensions				
Budget Authority	3	0	0	0
Outlays	1	0	0	0
Rules and Administration				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Intelligence				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Veterans' Affairs				
Budget Authority	0	0	0	0
Outlays	150	20	20	20
Indian Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Small Business				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Total				
Budget Authority	7,665	0	1	2
Outlays	7,767	20	21	22

TABLE 2. SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS [1]

(Budget authority, in millions of dollars)

	2016	
	Security [2]	Nonsecurity [2]
Statutory Discretionary Limits	523,091	493,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	0
Defense	41	0
Energy and Water Development	0	0
Financial Services and General Government	0	41
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,678
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	56,217
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	41	85,354
Total Enacted Above (+) or Below (−) Statutory Limits	−523,050	−408,137

[1] This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

[2] Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3. SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS

(In millions of dollars)

	2016	
	BA	OT
OCO/GWOT Allocation [1]	96,287	48,798
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	0	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	0
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	0	0
Total OCO/GWOT Spending vs. Budget Resolution	−96,287	−48,798

BA = Budget Authority; OT = Outlays.

[1] This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 4. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (−) Budget Resolution	−19,100

TABLE 5. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

(Budget authority, millions of dollars)

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CVF CHIMP Above (+) or Below (−) Budget Resolution	−10,800

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 9, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2015 budget and is current through July 7, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act (Public Law 113–67).

This is CBO's first current level report for fiscal year 2015.

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (−) Resolution
On-Budget			
Budget Authority	3,026.4	3,034.4	8.0
Outlays	3,039.6	3,040.7	1.0
Revenues	2,533.4	2,453.6	−79.8
Off-Budget			
Social Security Outlays [a]	736.6	736.6	0.0
Social Security Revenues	771.7	771.9	0.2

Source: Congressional Budget Office.

[a] Excludes administrative expenses from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2015, AS OF JULY 7, 2015

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,533,388
Permanents and other spending legislation	1,877,558	1,802,360	n.a.
Appropriation legislation	0	508,261	n.a.
Offsetting receipts	−735,195	−734,481	n.a.
Total, Previously Enacted	1,142,363	1,576,140	2,533,388
Enacted Legislation [b]			
Lake Hill Administrative Site Affordable Housing Act (P.L. 113-141)	0	−2	0
Emergency Supplemental Appropriations Resolution, 2014 (P.L. 113–145)	0	75	0
Highway and Transportation Funding Act of 2014 (P.L. 113–159)	0	−15	2,590
Emergency Afghan Allies Extension Act of 2014 (P.L. 113–10)	5	5	6
Continuing Appropriations Resolution, 2015 (P.L. 113–164) [c]	−4,705	−180	0
Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183)	0	10	0
IMPACT Act of 2014 (P.L. 113–185)	22	22	0
Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113–235)	1,884,271	1,426,085	−178
To amend certain provisions of the FAA Modernization and Reform Act of 2012 (P.L. 113–243)	0	0	−28
Naval Vessel Transfer Act of 2013 (P.L. 113–276)	−20	−20	0
Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (P.L. 113–291)	−15	0	0
An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes (P.L. 113–295)	160	160	−81,177
Terrorism Risk Insurance Program Reauthorization Act of 2015 (P.L. 114–1)	121	121	1
Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4)	47,763	27,534	0
Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10)	7,354	7,329	0
Construction Authorization and Choice Improvement Act (P.L. 114–19)	0	20	0
A bill to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	130	0
Trade Preferences Extension Act of 2015 (P.L. 114–27)	38	7	−1,051
Total, Enacted Legislation	1,934,994	1,461,281	−79,837
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−42,921	3,239	0
Total Current Level [d]	3,034,436	3,040,660	2,453,551
Total Senate Resolution [e]	3,026,439	3,039,624	2,533,388
Current Level Over Senate Resolution	7,997	1,036	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	79,837

Source: Congressional Budget Office.

Notes: n.a.=not applicable; P.L.=Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during the 2nd session of the 113th Congress but before publication in the Congressional Record of the statement of the allocations and aggregates pursuant to section 116 of the Bipartisan Budget Act of 2013 (P.L. 113–67): the Agricultural Act of 2014 (P.L. 113–79), the Homeowner Flood Insurance Affordability Act of 2014 (P.L. 113–89), the Gabriella Miller Kids First Research Act (P.L. 113–94), and the Cooperative and Small Employer Charity Pension Flexibility Act (P.L. 113–97).

[b] Pursuant to section 403(b) of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, amounts designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13, shall not count for certain budgetary enforcement purposes. The amounts so designated for 2015, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Veteran's Access to Care through Choice, Accountability, and Transparency Act of 2014 (P.L. 113-146)	−1,331	6,619	−42

[c] Sections 136 and 137 of the Continuing Appropriations Resolution, 2015 (P.L. 113–164) provide $88 million to respond to the Ebola virus, which is available until September 30, 2015. Section 139 rescinds funds from the Children's Health Insurance Program. Section 147 extended the authorization for the Export-Import Bank of the United States through June 30, 2015.

[d] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[e] Periodically, the Senate Committee on the Budget revises the budgetary levels printed in the Congressional Record on May 5, 2014, pursuant to section 116 of the Bipartisan Budget Act of 2013 (Public Law 113–67):

	Budget Authority	Outlays	Revenues
Original Senate Resolution	2,939,993	3,004,163	2,533,388
Revisions:			
Adjustment for Disaster Designated Spending	100	43	0
Adjustment for Overseas Contingency Operations and Disaster Designated Spending	74,995	31,360	0
Adjustment for Emergency Designated Spending	0	75	0
Adjustment for the Consolidated and Further Continuing Appropriations Act, 2015	11,351	3,983	0
Revised Senate Resolution	3,026,439	3,039,624	2,533,388

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 9, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through July 7, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

This is CBO's first current level report for fiscal year 2016.

Sincerely,

KEITH HALL, *Director*.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JULY 7, 2015

(In billions of dollars)

	Budget Resolution [a]	Current Level	Current Level Over/Under (−) Resolution
ON-BUDGET			
Budget Authority	3,032.8	2,146.7	−886.0
Outlays	3,091.3	2,564.4	−526.9
Revenues	2,676.0	2,676.0	0.0
OFF-BUDGET			
Social Security Outlays [b]	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

[a] Excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations.

[b] Excludes administrative expenses from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JULY 7, 2015

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
A bill to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	−766
Total, Enacted Legislation	445	195	−761
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	962,619	945,910	0
Total Current Level [b]	2,146,740	2,564,396	2,675,972
Total Senate Resolution [c]	3,032,788	3,091,273	2,675,967
Current Level Over Senate Resolution	n.a.	n.a.	5
Current Level Under Senate Resolution	886,048	526,877	n.a.
Memorandum:			
Revenues, 2016–2025:			
Senate Current Level	n.a.	n.a.	32,233,094
Senate Resolution	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution	n.a.	n.a.	n.a
Current Level Under Senate Resolution	n.a.	n.a.	5

Source: Congressional Budget Office.

Notes: n.a. = not applicable, P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[c] Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con Res. 11, pursuant to various provisions of the resolution. The Senate resolution total below excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations:

	Budget Authority	Outlays	Revenues
Senate Resolution	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 4311 of S. Con. Res. 11	445	175	−766
Revised Senate Resolution	3,032,788	3,091,273	2,675,967

TABLE 3. SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS—1ST SESSION, AS OF JULY 7, 2015

(In millions of dollars)

	2015–2020	2015–2025
Beginning Balance [a]	0	0
Enacted Legislation: [b]		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114–17) [c]	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114–19)	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114–22)	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114–23)	*	*
To extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114–25)	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	−1	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	−640	−52
Current Balance	−470	125
Memorandum:	2015–2020	2015–2025
Changes to Revenues	2,348	−5,328
Changes to Outlays	1,878	−5,203

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between −$500,000 and $500,000.

[a] Pursuant to S. Con. Res. 11, the Senate Pay-As-You-Go Scorecard was reset to zero.

[b] The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.

[c] P.L. 114–17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (http://www.cbo.gov/sites/default/files/cbofiles/attachments/s615.pdf)

SOUTH SUDAN

Mr. CARDIN. Mr. President, today I wish to speak about the ongoing civil war in South Sudan. July 9 marks the fourth anniversary of South Sudan's independence. This should be a day of celebration, but it is instead a day marred by violence and suffering. For the last 19 months, hostilities between the government and the opposition have brought the world's newest country to the brink of ruin. Regional mediation efforts have failed, and the international community has yet to come up with a viable plan to end the violence. Unless we jumpstart diplomatic efforts immediately, this conflict is destined to become another long-running war in Africa that is ignored by the rest of the world.

As some of my colleagues may know, ongoing political tensions between forces loyal to President Salva Kiir and forces loyal to former Vice President Riek Machar, coupled with preexisting ethnic tensions, erupted in violence on the night of December 15, 2013. Both sides in the conflict have committed and continue to commit serious human rights violations. The nature and scale of the abuses in the first days, weeks, and months of the conflict prompted the African Union to establish a Commission of Inquiry in March of last year to investigate. However the Commission's report, while completed, has never been publicly released. We have seen the contents of a version of the report that was leaked in March and the findings are truly disturbing: indiscriminate killing of civilians, burning and looting of hospitals and humanitarian assets, attacks on United Nations compounds, and rape on a massive scale. Similar findings have been reported separately by the U.N. and various human rights organizations.

Tragically, increased fighting this spring has been characterized by an even greater level of brutality. According to the United Nations Children's Fund, UNICEF, as many as 129 children were killed in May in Unity State alone—boys were castrated and left to bleed to death, girls as young as 8 years old were raped and killed, some children had their throats slit or were thrown into burning buildings by government-allied militia. This is in addition to the estimated 13,000 children being forcibly recruited to fight by government and opposition forces. The behavior of armed groups is beyond inhumane.

As a result of the war, 1.5 million people are internally displaced. More than 730,000 have crossed borders into Sudan, Ethiopia, Uganda, and Kenya as refugees. The number of people facing severe food insecurity has almost doubled since the start of the year from 2.5 million to an estimated 4.6 million people, including approximately 874,000 children under the age of 5.

The recent uptick in hostilities has made it extremely challenging for humanitarian organizations to reach populations in need. Aid workers continue to be harassed, detained, and abducted. The Government of South Sudan expelled the United Nations Deputy Special Representative and Humanitarian Coordinator Toby Lanzer in June. His expulsion comes at a time of increasing humanitarian need. The ruthless

means through which troops are executing the war, the parliament's passage of an NGO law hinders the delivery of much needed services, the expulsion of the head of the U.N. humanitarian arm and obstruction of U.N. peacekeeping operations to protect civilians, and the refusal of the parties to engage in good-faith negotiations to end hostilities all paint a picture of two opposing sides that have very little regard for the needs or wellbeing of South Sudanese citizens.

In light of the gravity of the situation on the ground, we must urgently consider taking several steps: First, we should push for a United Nations arms embargo on South Sudan to stop the flow of arms to all warring factions. We may or may not be successful in convincing all of the Permanent Five members of the Security Council to agree with us on this, but we will never be successful if we don't make the attempt. On July 1, the United Nations Security Council imposed personal targeted sanctions on six South Sudanese generals it believes are fueling the fighting. I welcome this move, but I have doubts that this alone will prove a game changer. Strangling the supply of arms and materiel of the actors on the ground could prove far more effective than sanctioning military leaders who don't travel outside the country or hold assets internationally.

Second, we must undertake a review of the military training and assistance we are providing to countries in the region to determine whether soldiers we have trained and equipment we have supplied are being used to either commit human rights abuses in South Sudan or prolong hostilities. We should also consider whether extra safeguards are warranted to ensure that U.S. security assistance is not being used to support the warring factions or otherwise contributing to the conflict.

Third, we must expand our investments in reconciliation efforts. USAID has joined with international partners and is doing a tremendous job on the humanitarian front. But our aid should, to the extent possible, be coupled with an increase in peace and reconciliation activities. The vicious nature of the attacks on civilians will make post-war, community-level reconstruction efforts and national healing enormously difficult. We cannot wait until the war is over to begin to bring people together. These programs should also include activities that support justice at the local level so that people who have borne the brunt of the violence can obtain some measure of closure.

Fourth, we must begin to look at how we put accountability mechanisms in place. During his trip to east Africa in May, Secretary Kerry announced $5 million to support accountability efforts. I applaud this move, and am pleased to hear that we are supporting the collection of evidence of gross human rights violations and preserving records for use in the future. We must take each and every opportunity we can to make clear that the United States is committed to bringing human rights abusers to justice. However, we can do more. We should push regional actors to move forward with efforts to establish the parameters and modalities of a court or other transitional justice mechanism. Initiating such mechanisms now—rather than waiting for an end to the war—more adequately demonstrates the international community's commitment to justice for victims than empty statements on the importance of accountability.

Finally, I urge President Obama to convene a meeting with the Secretaries General of the Africa Union and United Nations while he is in Addis Ababa this month to discuss a way forward that involves those two bodies and members of the Troika. And these talks must involve key regional players who could prove spoilers to any process, including Sudan and Uganda.

The cost of this war has been astronomical. The U.N. Mission to South Sudan has cost over $2 billion in the past 2 years alone. The international community has provided nearly $2.7 billion in humanitarian assistance. The United States alone has provided more than $1.2 billion for those purposes. This is money that should have been invested in building a country that had already been devastated by decades of war with Sudan. However, the real tragedy is not the dollars lost—it is in the thousands of lives lost, the seeds sown of ethnic hatred and division and the squandering of an opportunity to build a nation that could provide a future to millions of people that were marginalized, attacked and abused by Khartoum. We must take action now to stop the war and prevent the deaths of thousands more South Sudanese.

TRIBUTE TO LIEUTENANT KATHRYN ELIZABETH ROSENBERG

Mr. MCCAIN. Mr. President, I wish to recognize and honor Lieutenant Kathryn Rosenberg, U.S. Navy, as she transfers from the Navy Office of Legislative Affairs.

A native of Pennsylvania, Lieutenant Rosenberg was commissioned an ensign through the Naval ROTC Program upon graduation from George Washington University in 2008.

Lieutenant Rosenberg, a surface warfare officer, has performed in a consistently outstanding manner under the most challenging of circumstances. Lieutenant Rosenberg served with distinction and gained extensive experience in the surface fleet during her first two sea tours. While assigned to the USS *Stockdale* (DDG 106) from June 2008 to November 2010, Lieutenant Rosenberg served as the pre-commissioning auxiliaries officer and combat information center officer while obtaining her surface warfare officer pin and engineering officer of the watch qualification. From March 2011 to December 2012, Lieutenant Rosenberg was assigned to the USS *Vicksburg* (CG 69), where she served as the fire control officer while qualifying as the anti-air warfare commander, force anti-air warfare commander, and force tactical action officer.

Since January 2013, Lieutenant Rosenberg has served as a Senate liaison officer in the Navy Office of Legislative Affairs. In this capacity, she has been a major asset to the Navy and Congress. Over the course of the last 2 years, Lieutenant Rosenberg has led 21 Congressional delegations to 36 different countries. She has escorted 54 Members of Congress and 36 personal and professional staff members. She has distinguished herself by going above and beyond the call of duty to facilitate and successfully execute each and every trip, despite any number of weather, aircraft, and diplomatic complications. Her leadership, energy, and integrity have ensured that numerous challenging Senate overseas trips have been flawlessly executed, to include an arduous trip to Afghanistan.

This Chamber will feel Lieutenant Rosenberg's absence. I join many past and present Members of Congress in my gratitude and appreciation to Lieutenant Rosenberg for her outstanding leadership and her unwavering support of the missions of the U.S. Navy, the Senate Armed Services Committee, Senate Foreign Relations Committee, Senate Select Committee on Intelligence, and others. I wish Lieutenant Rosenberg ''fair winds and following seas.''

ACCREDITATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks at the Senate Committee on Health, Education, Labor and Pensions hearing on ''Reauthorizing the Higher Education Act: Evaluating Accreditation's Role in Ensuring Quality.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ACCREDITATION

We're here today to discuss our system for ensuring that colleges are giving students a good education. That's called accreditation.

Accreditation is a self-governing process that was created by colleges in the 1800s. The organizations they created were intended to help colleges distinguish themselves from high schools and later, to accredit one another.

At this time there was no federal involvement in higher education or accreditation, and right around the end of World War II, about 5% of the population had earned a college degree.

Accreditation however took on a new role in the 1950's. After the Korean War, Congress went looking for a way to ensure that the money spent for the GI Bill to help veterans go to college was being used at legitimate, quality institutions.

Congress had enough sense to know they couldn't do the job of evaluating the diversity of our colleges and universities themselves so they outsourced the task to accreditation. Accreditors became, as many like to say, ''gatekeepers'' to federal funds.

The Korean War G.I. Bill of 1952 first established this new responsibility—it said that veterans could only use their benefits at colleges that were accredited by an agency recognized by what was called the Commissioner of Education, and then after the Department of Education was created in 1979, the Secretary of Education.

The Higher Education Act of 1965 used this same idea when it created federal financial aid for non-veteran college students. Around this time, about 10% of the population had received a college degree.

However, the 1992 Higher Education Act Amendments were the first time the law said much about what standards accreditors needed to use when assessing quality at institutions of higher education.

Today, current law outlines 10 broad standards that federally recognized accreditors must have when reviewing colleges: student achievement; curriculum; faculty; facilities; fiscal and administrative capacity; student support services; recruiting and admissions practices; measure of program length; student complaints; and compliance with Title IV program responsibility.

The law tells accreditors that they must measure student achievement, but it doesn't tell them how to do it.

Colleges and accreditors determine the specifics of the standards—not the Department of Education.

For the student achievement standard, colleges and universities define how they meet that standard based on their mission—the law specifically doesn't let the Department of Education regulate or define student achievement.

And in fact, in 2007, when the Department of Education tried to do that, Congress stopped it.

Still, Congress spends approximately $33 billion for Pell grants each year, and taxpayers will lend over $100 billion in loans this year that students have to pay back.

So we have a duty to make certain that students are spending that money at quality colleges and universities.

I believe there are two main concerns about accreditation:

First, is it ensuring quality?

And second, is the federal government guilty of getting in the way of accreditors doing their job?

The Task Force on Government Regulation of Higher Education, which was commissioned by a bipartisan group of senators on this committee, told us in a detailed report that federal rules and regulations on accreditors have turned the process into federal ''micro-management.''

In addressing these two concerns, I think we should look at five areas:

First, are accreditors doing enough to ensure that students are learning and receiving a quality education?

A recent survey commissioned by Inside Higher Ed found that 97% of chief academic officers at public colleges and universities believe their institution is ''very or somewhat effective at preparing students for the workforce.''

But a Gallup survey shows that business leaders aren't so sure—only one-third of American business leaders say that colleges and universities are graduating students with the skills and competencies their businesses need. Nearly a third of business leaders disagree, with 17% going as far as to say that they strongly disagree.

Second, would more competition and choice among accreditors be one way to improve quality?

Accreditation is one of the few areas in higher education without choice and competition. Today colleges and universities cannot choose which regional accrediting agency they'd like to use. If they could, would that drive quality?

Third, do federal rules and regulations force accreditors to spend too much time on issues other than quality?

Accreditation may now be ''cops on the beat'' for Department of Education rules and regulations unrelated to academic quality. Accreditors review fire codes, institutional finances (something the Department of Education already looks at) and whether a school is in compliance with Department rules for Title IV. To me, these don't seem to be an accreditor's job.

Fourth, do accreditors have the right tools and flexibility to deal with the many different institutions with many different needs and circumstances?

Some well-established institutions may not need to go through the same process as everyone else, allowing accreditors to focus on those institutions that need the most help.

Finally, could the public benefit from more information about accreditation?

All the public learns from the accreditation process is whether a school is accredited or unaccredited. Even at comparable colleges, quality may vary dramatically, yet all institutions receive the same, blanket ''accredited'' stamp of approval. Seems to me that there could be more information provided to students, families or policymakers.

We'd better find a way to make accreditation work better.

There's really not another way to do this—to monitor quality. Because if accreditation doesn't do it, I can assure you that Congress can't. And the Department of Education certainly doesn't have the capacity or know-how.

They could hire a thousand bureaucrats to run around the country reviewing 6,000 colleges, but you can imagine what that would be like.

They're already trying to rate colleges, and no one is optimistic about their efforts—I think they'll collapse of their own weight.

So it's crucial that accrediting of our colleges improve.

Our witnesses have a variety of viewpoints on accreditation and I look forward to the discussion.

ADDITIONAL STATEMENTS

RECOGNIZING THE NORTHWEST ARKANSAS COUNCIL

● Mr. BOOZMAN. Mr. President, I want to recognize the hard work, dedication, and achievements of the Northwest Arkansas Council, which is celebrating its 25th anniversary. This organization helped transform Northwest Arkansas into an economic powerhouse. In 1990, business and community leaders created a cooperative regional business foundation with a focus on what is best for the region. Now, 25 years later, the council has strengthened partnerships and achieved many successes.

Early on, the council recognized the importance of expanding the region's infrastructure. It planted the seeds for development by pursuing the construction of a new regional airport, an interstate to connect western Arkansas, and a massive 2-ton water system to serve Benton and Washington Counties.

These priorities laid the foundation for the expansive growth and development of the region. Northwest Arkansas continues to flourish under the council's encouragement and vision. By focusing on the future and on mutually beneficial goals, the council is a leader in visualizing and promoting investments that meet the needs of citizens and local businesses. In recent years, the council's goals have expanded toward growing the region's workforce, including increasing the number of high school and college graduates and attracting top talent.

This unique partnership encourages communities throughout the region to think about long-term goals and creates a strategic plan to accomplish them. What is impressive is that the council consistently achieves most of its goals, often ahead of schedule.

The council is a model for success. Economic development regions across Arkansas and throughout the country use the council as a model, with hopes of achieving similar success. The council has demonstrated the value of cooperation and collaboration, as well as the importance of keeping attention focused on common ground and shared interests.

I congratulate the Northwest Arkansas Council on its 25-year commitment to growth and development and for continuing to make the region better through infrastructure improvements, workforce development, and regional stewardship. I look forward to continuing to work with the Northwest Arkansas Council and seeing its future achievements.●

REMEMBERING SHERIFF RALPH LAMB

● Mr. HELLER. Mr. President, today we honor the life and legacy of former Clark County Sheriff Ralph Lamb, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife Rae and all of Mr. Lamb's family in this time of mourning. He was a man committed to his family, his country, his State, and his community. Although he will be sorely missed, his legendary influence throughout the Silver State will continue on.

Mr. Lamb was born on April 10, 1927, in a small ranching community in Alamo. He was one of 11 children who helped on the family farm and worked in the local schoolhouse to support the family. At 11 years old, his father was killed in a rodeo accident, and he was taken in by his oldest brother Floyd Lamb. Mr. Lamb served in the Army during World War II in the Pacific Theater, later returning to Nevada. He became a Clark County deputy sheriff and soon after was named chief of detectives. In 1954, he left the Clark County Sheriff's Department to form a private detective agency.

It wasn't until 1958 that Mr. Lamb showed interest in returning to the department. He was named Clark County Sheriff in 1961 and served under this title for 18 years, an unprecedented amount of time that continues to be

the longest anyone has held the job. His unwavering dedication to the department and the community will always be remembered.

Mr. Lamb truly strived to make the department the absolute best it could be. Throughout his tenure, organized crime was prevalent in the Las Vegas community. Mr. Lamb worked with the county commission to pass the ''work card law,'' requiring anyone working in the gaming industry to be fingerprinted, photographed, and to notify the sheriff if he or she moved jobs. This important piece of legislation helped significantly in fighting organized crime.

He was also a key contributor in transitioning the Clark County Sheriff's Department into a more sophisticated force and in helping in its consolidation with the Las Vegas Police Department, creating stability in the law enforcement community with the present Metropolitan Police Department, Metro. His administration created the city's first SWAT team and brought the Las Vegas metropolitan area a modern crime lab, including a mobile crime lab. Metro was one of the first police agencies to utilize semiautomatic pistols and in-car computers, all driven by the hard work of Mr. Lamb. His many accomplishments will benefit future Metro officers for years to come.

I extend my deepest sympathies to his family. We will always remember Mr. Lamb for his invaluable contributions to the local community. It is the brave men and women who serve in the local police department who keep our communities safe. These heroes selflessly put their lives on the line every day. Mr. Lamb's sacrifice and courage earn him a place among the outstanding men and women who have valiantly put their lives on the line to keep our communities safe, and his service will never be forgotten.

Mr. Lamb fought to maintain only the highest level of excellence for the Clark County Sheriff's Department. The Southern Nevada community remains safer because of Mr. Lamb. I am honored to commend him for his hard work and invaluable contributions to the Silver State. Today, I join the Las Vegas metropolitan community and citizens of the Silver State to celebrate the life of an upstanding Nevadan, Sheriff Ralph Lamb.●

RECOGNIZING HOTEL NEVADA'S 86TH ANNIVERSARY

● Mr. HELLER. Mr. President, today I wish to recognize the 86th anniversary of Hotel Nevada, a historic landmark and important piece of the Ely community. I am proud to honor this hotel that serves as a symbol of Nevada's history and continues to offer quality services to guests and locals alike.

The city of Ely was originally established as a stagecoach stop and post office along the Pony Express' Central Overland Route in 1870 and was designated the county seat in 1887. The city expanded its growth in 1906 when copper mining dominated the area. The necessity to accommodate numerous miners who worked in the area drove the development of the city and kindled the construction of many buildings. The Hotel Nevada was built during this time of the Prohibition era in 1929 and was deemed the tallest building in the State with six floors in the 1940s. It is one of a kind and continues to maintain its authenticity with its original structure, bringing a distinct rural West feel. I am grateful this remarkable site provides visitors and residents a glimpse into Nevada's past. It is truly a staple for the Ely community.

The hotel and gambling hall offers 67 updated rooms to guests. It also provides the only 24-hour restaurant and full-service hotel and casino in Ely. Since its opening, it has received many well-known guests, including Wayne Newton, Mickey Rooney, and Lyndon Johnson. Each time my wife and I travel to the city of Ely, we stay at the Hotel Nevada. I can say from first-hand experience Hotel Nevada offers an unparalleled historic experience to its guests. It gives me great pleasure to see this business celebrate 86 years of success.

Hotel Nevada has demonstrated professionalism, commitment to excellence, and true dedication to authenticity since its opening. After 86 years, it stands a true testament to the City of Ely. Today, I ask my colleagues to join me in recognizing Hotel Nevada on its 86th anniversary. ●

TRIBUTE TO DR. WILLIAM ''BRIT'' KIRWAN

● Ms. MIKULSKI. Mr. President, I wish to honor the extraordinary Dr. William ''Brit'' Kirwan, who recently left the post of chancellor of the University System of Maryland, USM. Not only am I honored to know him professionally, I am proud to call him a dear friend.

Dr. Kirwan will be greatly missed. He has devoted himself to higher education for the past 50 years. How amazing is that? Not only is he an accomplished individual, he also throws the coolest Derby parties. I love Dr. Kirwan, and I know Maryland loves Dr. Kirwan.

Prior to becoming chancellor of USM, Dr. Kirwan served as president of the Ohio State University for 4 years. Before that, he served as president of the University of Maryland, College Park, UMCP, for 10 years. Before becoming president of UMCP, he was a member of the University of Maryland faculty for 24 years—where he served as an assistant professor, department chair and Provost. Until last month, Dr. Kirwan served as the chancellor of USM for 13 years.

Under his leadership, USM roared into the 21st century. He led 11 universities, with more than 40,000 undergraduate and graduate students. He boosted graduation rates while winning lacrosse and basketball games. He made sure that no campus was left out or left behind. He made sure to support the University of Maryland flagship, our schools out in western Maryland and on the Eastern Shore—Frostburg and Salisbury—and our Historically Black Colleges and Universities, HBCUs. He also worked to make sure our professional schools in downtown Baltimore remained strong. In fact, downtown Baltimore has some of the best medical, law, nursing and social work schools in the world. Students knew they could count on Dr. Kirwan. He made college more affordable by freezing tuition for 4 years. Even faculty knew they could count on him.

Dr. Kirwan has so many more accomplishments that it is difficult to know where to begin. Particularly, the accomplishments I am most proud of were the ones where we worked together. When Senator ALEXANDER and I worked together on the reauthorization of the Higher Education Act in 2008, we looked at two things: how can we make sure young people get a quality and affordable education, and how can colleges and universities control their costs. What emerged was the recognition that we needed to do something about burdensome regulations. That is why Senator ALEXANDER and I, along with Senators BENNET and BURR, created a task force to look at the issue of duplicative, burdensome higher education regulations.

Because of Dr. Kirwan's wealth and knowledge of higher education, I knew he was the right man for the job to lead this particular task force. What he was able to accomplish is astounding. The task force, under his leadership, put together a comprehensive report that identified the 10 most onerous regulations institutions of higher education were faced with. The report also provided recommendations on what Congress and the administration could to streamline regulations. As a result of Dr. Kirwan's work, my colleagues in the Senate are using his recommendations to make sure our laws are about smart regulation, not strangulation.

While being a national leader in futuristic things like cyber technology, training the next generation of cyber warriors, making our economy stronger and our country safer, Dr. Kirwan helped changed higher education. He helped change the world—literally changing the global economy. I would venture to say that we would not have Google if it were not for Dr. Kirwan. Now some of you may say: ''Senator BARB, where does this come from?'' Let me tell you a story.

Dr. Kiwan, is not only an able chancellor, he really is a gifted mathematician. And in his work as a mathematician, he had the opportunity to travel to conferences around the world. At one of those conferences in the 1970s, Dr. Kirwan met someone from the Soviet Union by the name of Dr. Michael Brin.

Then in 1974, Congress passed a little piece of legislation called Jackson-Vanik, which helped put pressure on the Soviet Union to remove its emigration restrictions. When this happened, Dr. Brin reached out to Dr. Kirwan and said: ''Do you think you can help me?'' And boy, did Dr. Kirwan help him out.

Thanks to the work of Dr. Kirwan and the USM Board of Regents, not only could Dr. Brin get out of Russia, he was able to come to the University of Maryland. With him, Dr. Brin brought his son Sergey. Sergey was a brilliant little boy—some may even say a bit difficult. He was so smart that he was able to graduate from College Park in 1993 at the age of 17. From there, Sergey went on to Stanford where he worked out of one of those garages we all hear about.

Well, the rest is history. Sergey Brin, of course, is Google. And had it not been for Dr. Kirwan meeting Dr. Brin, Congress doing Jackson-Vanik, the University of Maryland providing a home for Dr. Brin, we would not have Google. I think that is a fabulous story that shows what good immigration policy can do, and also what a gifted, talented, and dedicated humanitarian Dr. Kirwan is.

Though he changed the world, what has never changed is the man himself. Dr. Kirwan is a man we admire, a man we respect, and a man we value. It is safe to say that Dr. Kirwan is a man we have such affection for, for his passion for education, for his deep concern and caring for our students. For Dr. Kirwan, it was never about building buildings, it was about building a future for our young people and for the great State of Maryland.

Dr. Kirwan, there will never be enough ''thank yous'' in the world but: thank you, thank you, thank you for your determination and dedication to making Maryland a better place. We will all miss you dearly but wish you much success in your retirement.●

RECOGNIZING SAFE HAVEN ENTERPRISES

● Mr. VITTER. Mr. President, small businesses are often on the forefront of innovation and safety. American entrepreneurs create and take advantage of opportunities to transform the ways in which we secure our property, aid in natural disasters, and protect our families. This week I would like to recognize Safe Haven Enterprises of Jennings, LA as Small Business of the Week.

In 1998, Alta Baker founded Safe Haven Enterprises, SHE, with the goal of providing strong buildings and mobile units that would protect folks and their property in times of disaster. Today, SHE has grown into an enterprise that produces 22 different types of structures ranging from office complexes to ballistic-resistant doors to first response units for natural disasters. In order to ensure that SHE's manufacturing can withstand various environments, including hurricane-strength weather and direct RPG attacks, each product has been field tested since 2003, providing exceptional security and peace of mind for U.S. embassies, government facilities, offshore oil rigs, electric companies, and private homes in Louisiana and around the world. Most recently, SHE buildings have been tested in conflict areas in the Middle East—protecting scores of American military personnel and property.

Safe Haven Enterprises is located in a U.S. Small Business Administration Historically Underutilized Business Zone, or HUBZone, and has aided the local economy through the creation of high-quality, technical jobs in Southwest Louisiana. SHE president and CEO Alta Baker has received numerous recognitions, including the 2014 Women in Construction NYC's Outstanding Woman Business of the Year award and the 2010 U.S. Chamber of Commerce Faces of Trade Award. SHE also holds numerous certifications from institutions such as the U.S. Department of State, the U.S. Coast Guard, and the Canadian Standards Association certifications for many of its technical structures.

Congratulations again to Safe Haven Enterprises for being selected as Small Business of the Week. Thank you for your commitment to producing safe, reliable shelters for the greatest times of need.●

MESSAGE FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 3:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 728. An act to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''.

H.R. 891. An act to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building''.

H.R. 1326. An act to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office''.

H.R. 1350. An act to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, July 9, 2015, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 91. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2158. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Beef From a Region in Argentina'' ((RIN0579–AD92) (Docket No. APHIS–2014–0032)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2159. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Beef From a Region in Brazil'' ((RIN0579–AD41) (Docket No. APHIS–2009–0017)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2160. A communication from the Program Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Voluntary Labeling Program for Biobased Products'' (RIN0599–AA22) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2161. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on Corrosion Policy and Oversight Budget Materials for Fiscal Year 2016''; to the Committee on Armed Services.

EC–2162. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Stephen L. Hoog, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2163. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2164. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Clauses With Alternates—Prescriptions and Clause Prefaces'' ((RIN0750–AI57) (DFARS Case 2015–D016)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2165. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Defense Contractors Outside the United States—Subpart Relocation'' ((RIN0750–AI55) (DFARS Case 2015–D015)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2166. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Allowability of Legal Costs for Whistleblower Proceedings'' ((RIN0750–AI04) (DFARS Case 2013–D022)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2167. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Acquisition-Related Thresholds'' ((RIN0750–AI43) (DFARS Case 2014–D025)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Armed Services.

EC–2168. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2015–0001)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2169. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–2170. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Venezuela Sanctions Regulations'' (31 CFR Parts 591) received in the Office of the President of the Senate on July 7, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2171. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of Dallas, transmitting, pursuant to law, the Bank's management report for fiscal year 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–2172. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Conventional Ovens'' ((RIN1904–AC71) (Docket No. EERE–2012–BT–TP–0013)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Energy and Natural Resources.

EC–2173. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–2174. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps'' ((RIN1904–AD19) (Docket No. EERE–2012–BT–TP–0032)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Energy and Natural Resources.

EC–2175. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''The Medicare Secondary Payer Commercial Repayment Center in Fiscal Year 2014''; to the Committee on Finance.

EC–2176. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2015''; to the Committee on Finance.

EC–2177. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Clarifications to the Requirement in the Treasury Regulations Under Section 501(r) (4) that a Hospital Facility's Financial Assistance Policy Include a List of Providers'' (Notice 2015–46) received in the Office of the President of the Senate on July 7, 2015; to the Committee on Finance.

EC–2178. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled ''Report to the Congress: Medicare and the Health Care Delivery System''; to the Committee on Finance.

EC–2179. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0073–2015–0076); to the Committee on Foreign Relations.

EC–2180. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Health, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2181. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Health, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2182. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements'' (Docket No. FDA–2013–N–0067) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2183. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Review of Federal Drug Regulations with Regard to Medical Gases''; to the Committee on Health, Education, Labor, and Pensions.

EC–2184. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Revocation of General Safety Test Regulations that are Duplicative of Requirements in Biologics License Applications'' (Docket No. FDA–2014–N–1110) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2185. A joint communication from the Executive Director and the Chair of the Board of Governors, Patient-Centered Outcomes Research Institute (PCORI), transmitting, pursuant to law, the Institute's 2014 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–2186. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2014 and 2013; to the Committee on the Judiciary.

EC–2187. A communication from the Deputy General Counsel, Office of Policy, Planning, and Liaison, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Microloan Program Expanded Eligibility and Other Program Changes'' (RIN3245–AG53) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Small Business and Entrepreneurship.

EC–2188. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2189. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–83; Small Entity Compliance Guide'' (FAC 2005–83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2190. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Clarification on Justification for Urgent Noncompetitive Awards Exceeding

One Year'' ((RIN9000–AM86) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2191. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations'' ((RIN9000–AM70) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2192. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Permanent Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items'' ((RIN9000–AN06) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2193. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Update to Product and Service Codes'' ((RIN9000–AN08) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2194. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations—Representation and Notification'' ((RIN9000–AM85) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2195. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Inflation Adjustment of Acquisition-Related Thresholds'' ((RIN9000–AM80) (FAC 2005–83)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2196. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–83; Introduction'' (FAC 2005–83) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2197. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2198. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–92, ''Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2199. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–93, ''Youth Employment and Work Readiness Training Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2200. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–94, ''Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2201. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–90, ''Healthy Hearts of Babies Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2202. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–91, ''Access to Contraceptives Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2203. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA FAR Regulatory Review No. 3'' (RIN2700–AE19) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2204. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2015'' (RIN0648–BE89) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2205. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XD973) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2206. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex'' (RIN0648–XD988) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2207. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Review of the Emergency Alert System'' ((FCC 15–60) (EB Docket No. 04–296)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2208. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Lifeline and Link Up Reform'' ((RIN3060–AF85) (DA 15–398)) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2015; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRAHAM, from the Committee on Appropriations, without amendment:

S. 1725. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114–79).

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 1300. A bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Waverly D. Crenshaw, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HEINRICH:

S. 1723. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote safe and reliable interconnection and net billing for community solar facilities; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself, Mr. REID, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 1724. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRAHAM:

S. 1725. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for

other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MERKLEY (for himself, Mr. GARDNER, Mr. BENNET, Mr. PAUL, Mr. WYDEN, and Mrs. MURRAY):

S. 1726. A bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN:

S. 1727. A bill to rename the National Florence Crittenton Mission; to the Committee on the Judiciary.

By Mr. COATS:

S. 1728. A bill to amend the Internal Revenue Code of 1986 to provide equal access to declaratory judgments for organizations seeking tax-exempt status; to the Committee on Finance.

By Mr. FRANKEN (for himself and Mr. CASSIDY):

S. 1729. A bill to amend the State report card provisions of section 1111(h) of the Elementary and Secondary Education Act of 1965 to require the disaggregation of the educational outcomes of students with disabilities by disability category; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1730. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY (for herself and Ms. HIRONO):

S. 1731. A bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself, Mrs. FISCHER, and Mr. MORAN):

S. 1732. A bill to authorize elements of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN:

S. 1733. A bill to require the Secretary of Agriculture to establish a forest incentives program to keep forests intact and sequester carbon on private forest land of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KIRK:

S. 1734. A bill to authorize the Secretary of Transportation to waive the state of good repair certification requirement for participants in the pilot program for expedited project delivery; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON (for himself, Mr. SCHUMER, Mrs. BOXER, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, and Mr. WHITEHOUSE):

S. 1735. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. COONS, Mr. KING, Mr. MENENDEZ, Mr. MARKEY, Ms. MIKULSKI, Mr. SCHATZ, Ms. WARREN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, and Mr. REED):

S. 1736. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. SCHUMER, Mr. WHITEHOUSE, Ms. WARREN, Mr. UDALL, Ms. BALDWIN, Mrs. SHAHEEN, Mr. FRANKEN, Mr. REED, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, Ms. KLOBUCHAR, Mr. CARDIN, and Mr. PETERS):

S. 1737. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 1738. A bill to protect individuals by strengthening the Nation's mental health infrastructure, improving the understanding of violence, strengthening firearm prohibitions and protections for at-risk individuals , and improving and expanding the reporting of mental health records to the National Instant Criminal Background Check System; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 1739. A bill to increase the minimum levels of financial responsibility for transporting property, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Mr. REID, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. MARKEY, Mr. SANDERS, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LEAHY, Mr. FRANKEN, Mr. MERKLEY, Mrs. BOXER, Mr. DURBIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. HEINRICH, Mr. SCHATZ, Ms. BALDWIN, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Ms. HEITKAMP, Mr. TESTER, Mr. BOOKER, Mr. REED, Mr. KAINE, Mr. PETERS, Mr. DONNELLY, Mrs. FEINSTEIN, Mr. UDALL, Mr. KING, and Mr. MANCHIN):

S. 1740. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. WICKER, and Mr. BROWN):

S. 1741. A bill to establish tire fuel efficiency minimum performance standards, improve tire registration, help consumers identify recalled tires, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself, Mr. TESTER, Mrs. MCCASKILL, and Mr. PETERS):

S. 1742. A bill to improve the provision of postal services to rural areas of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1743. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PERDUE (for himself and Mr. ISAKSON):

S. 1744. A bill to authorize the sale of certain National Forest System land in the State of Georgia; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER:

S. 1745. A bill to provide grants to eligible entities to develop and maintain or improve and expand before school, afterschool, and summer school programs for Indian and Alaska Native students, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. KAINE):

S. 1746. A bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself and Mr. GRAHAM):

S. 1747. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Ms. COLLINS, and Mr. DURBIN):

S. 1748. A bill to provide for improved investment in national transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mr. DONNELLY (for himself, Ms. HEITKAMP, and Mr. MANCHIN):

S.J. Res. 18. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mr. TESTER, Mr. ROUNDS, Mr. LANKFORD, Mr. THUNE, and Mr. HOEVEN):

S. Res. 219. A resolution designating July 25, 2015, as ''National Day of the American Cowboy''; considered and agreed to.

By Ms. HEITKAMP (for herself and Mr. HOEVEN):

S. Res. 220. A resolution commemorating the 50th anniversary of the Medora Musical; considered and agreed to.

By Mr. GARDNER (for himself, Mr. BENNET, and Ms. CANTWELL):

S. Res. 221. A resolution recognizing the 100th anniversary of Rocky Mountain National Park; considered and agreed to.

ADDITIONAL COSPONSORS

S. 37

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 37, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes.

S. 139

At the request of Mr. WYDEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 139, a bill to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Iowa (Mrs.

ERNST) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 210

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 357

At the request of Mr. FLAKE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 357, a bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and for other purposes.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 697

At the request of Mr. UDALL, the names of the Senator from Rhode Island (Mr. REED), the Senator from Kansas (Mr. ROBERTS), the Senator from Minnesota (Mr. FRANKEN), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 884

At the request of Mr. BLUNT, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1038

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1038, a bill to clarify that no express or implied warranty is provided by reason of a disclosure relating to voluntary participation in the Energy Star program, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1090

At the request of Mr. BOOKER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1090, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1300

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1458

At the request of Mr. COATS, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Mississippi (Mr. WICKER) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1461

At the request of Mr. THUNE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1461, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1509

At the request of Mr. CARPER, the names of the Senator from Minnesota

(Mr. FRANKEN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1509, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 1540

At the request of Mrs. MCCASKILL, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1540, a bill to improve the enforcement of prohibitions on robocalls, including fraudulent robocalls.

S. 1544

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1544, a bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1598

At the request of Mr. LEE, the names of the Senator from Indiana (Mr. COATS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Mr. SULLIVAN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. TILLIS), the Senator from North Carolina (Mr. BURR) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1670

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1670, a bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

S. 1672

At the request of Mrs. FISCHER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1672, a bill to authorize States to enter into interstate compacts regarding Class A commercial driver's licenses.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1716

At the request of Ms. BALDWIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1716, a bill to provide access to higher education for the students of the United States.

S. 1717

At the request of Mr. PORTMAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1717, a bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials.

S. RES. 211

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 211, a resolution expressing the sense of the Senate regarding Srebrenica.

AMENDMENT NO. 2093

At the request of Mr. FRANKEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nevada (Mr. REID) were added as cosponsors of amendment No. 2093 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2094

At the request of Mr. TOOMEY, the names of the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mrs. CAPITO), the Senator from Colorado (Mr. BENNET) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 2094 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2096

At the request of Mr. KAINE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 2096 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2110

At the request of Mr. SASSE, his name was added as a cosponsor of amendment No. 2110 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2133

At the request of Mr. SCOTT, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 2133 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2135

At the request of Mrs. GILLIBRAND, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. DURBIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 2135 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2151

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2151 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2152

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 2152 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2159

At the request of Mr. BENNET, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 2159 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2166

At the request of Mr. BROWN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 2166 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2167

At the request of Mr. SCHATZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 2167 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2169

At the request of Mr. BOOKER, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2169 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of

1965 to ensure that every child achieves.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1730. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, the Stronger Enforcement of Civil Penalties Act, which I am pleased to be introducing today with Senator GRASSLEY and Senator LEAHY, will enhance the ability of securities regulators to protect investors and demand greater accountability from market players. Unfortunately, even after the financial crisis that crippled the economy, we continue to see calculated wrongdoing by some on Wall Street. Without the consequence of meaningful penalties to serve as an effective deterrent, I fear this disturbing culture of misconduct will persist.

The existing regime for securities law violations limits by statute the amount of penalties the Securities and Exchange Commission, SEC, can fine an institution or individual. During hearings I held in 2011 in the Securities, Insurance, and Investment Banking Subcommittee, I learned how this limitation significantly interferes with the SEC's ability to perform its enforcement duties. At that time, the agency had been criticized by a Federal judge for not obtaining a larger settlement against Citigroup, a major player in the financial crisis that settled with the SEC in an amount that was a fraction of the cost the bank had inflicted on investors. The SEC explained that the reason for the low settlement amount was a statutory prohibition from levying a larger penalty.

The bipartisan bill Senator GRASSLEY and I are introducing updates and strengthens the SEC's civil penalties statute. It aims to make potential and current offenders think twice before engaging in misconduct by increasing the maximum civil monetary penalties permitted by statute, directly linking the size of the maximum penalties to the amount of losses suffered by victims of a violation, and substantially raising the financial stakes for repeat offenders of our nation's securities laws.

Specifically, our bill would give the SEC more options to tailor penalties to the specific circumstances of a given violation. In addition to raising the per violation caps for severe, or ''tier three,'' violations to $1 million per offense for individuals and $10 million per offense for entities, the bill would also give the SEC additional options to obtain greater penalties based on the ill-gotten gains of the violator or on the financial harm to investors.

Our bill also addresses the disconcerting trend of repeat offenders on Wall Street through two provisions. The first would allow the SEC to triple the penalty cap applicable to recidivists who have been held either criminally or civilly liable for securities fraud within the preceding five years. The second would allow the SEC to seek a civil penalty against those that violate existing federal court or SEC orders, an approach that would be more efficient, effective, and flexible than the current civil contempt remedy. These two changes would substantially improve the ability of the SEC's enforcement program to ratchet up penalties for recidivists.

More than half of all U.S. households own securities. They deserve a strong cop on the beat that has the tools it needs to go after fraudsters and pursue the difficult cases arising from our increasingly complex financial markets. The Stronger Enforcement of Civil Penalties Act will give the SEC more tools to demand meaningful accountability from Wall Street, which in turn will increase transparency and confidence in our financial system. I urge our colleagues to support this important bipartisan legislation to enhance the SEC's ability to protect investors and crack down on fraud.

By Mrs. MURRAY (for herself and Ms. HIRONO):

S. 1731. A bill to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today I am introducing the Homeless Veterans Services Protection Act of 2015.

This legislation would ensure continued access to homeless services for some of our country's most vulnerable veterans who are currently at risk of losing these critical services.

The administration set the difficult but commendable goal of eliminating veteran homelessness. Through tremendous efforts at every level of government, and with the help of community groups, non-profits and the private sector, we have made major progress toward achieving that goal.

But we know we have a lot of work to do. Veterans are at greater risk of becoming homeless than non-veterans and on any given night as many as 50,000 veterans are homeless across the United States.

This is unacceptable.

Our veterans made great sacrifices while serving our country and our commitment to them is especially important. This commitment includes providing benefits, medical care, support, and assistance to prevent homelessness.

Two of our greatest tools are the Department of Veterans Affairs' Grant and Per Diem program and the Supportive Services for Veteran Families program through partnerships with homeless service providers around the country.

These important and successful programs assist very low-income veterans and their families who either live in permanent housing or are transitioning from homelessness. The programs help our veterans with rent, utilities, moving costs, outreach, case management, and obtaining benefits.

But last year, after a legal review of its policies, VA was forced to prepare for a change that would have cut off services to veterans who did not meet certain length of service or discharge requirements, changing policies that homeless service providers had followed for decades.

That would be a heartless, bureaucratic move that could have put thousands of veterans on the streets—practically overnight. According to some of our leading veterans and homeless groups—including The American Legion, the National Alliance to End Homelessness the National Low Income Housing Coalition, and the National Coalition for Homeless Veterans—had the policy been enacted, VA would have had to stop serving about 15 percent of the homeless veteran population, and in certain urban areas up to 30 percent of homeless veterans would have been turned away.

The veterans community alerted me to this possible change—and while I am proud that we prevented these changes in the short-term—it is very concerning that a legal opinion could be issued at any time to undo all of that.

There is good reason to reverse this policy for good. A report from VA's Inspector General, issued just last week, shows how VA's unclear or outdated guidance hurts veterans, and how VA's proposed policy changes work against efforts to help homeless veterans.

As a senior member of the Senate Veterans' Affairs Committee and the daughter of a World War II veteran, I'm proud that the bill I have introduced today would permanently protect homeless veterans' access to housing and services.

This bill makes it clear that our country takes care of those who have served, and we don't allow bureaucracy to dictate who gets a roof over their head and who doesn't.

Many veterans struggle with mental illness, substance abuse, or simply finding a steady job—all factors that can lead to homelessness.

And veterans of the wars in Iraq and Afghanistan are increasingly becoming homeless—numbers that will continue to increase in the coming years unless help is available for them.

The idea that any of these veterans returning from service could become homeless because of these policies is unacceptable.

If we ever hope to end veteran homelessness we must do everything we can to reach this goal, and I want to make

sure that VA's policies are moving us in that direction.

I don't just believe that the United States can do better; I believe we must do better for those who've sacrificed so much for our country.

Finally I would like to thank Senator HIRONO for cosponsoring this bill and being a champion of the men and women who have served our country.

By Mr. WYDEN (for himself, Mr. SCHUMER, Ms. STABENOW, Ms. CANTWELL, Mr. NELSON, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mr. BROWN, Mr. BENNET, Mr. CASEY, Mr. WARNER, Mr. REID, Ms. HIRONO, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. MCCASKILL, Mr. MARKEY, Mr. SANDERS, Ms. WARREN, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. LEAHY, Mr. FRANKEN, Mr. MERKLEY, Mrs. BOXER, Mr. DURBIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. HEINRICH, Mr. SCHATZ, Ms. BALDWIN, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Ms. HEITKAMP, Mr. TESTER, Mr. BOOKER, Mr. REED, Mr. KAINE, Mr. PETERS, Mr. DONNELLY, Mrs. FEINSTEIN, Mr. UDALL, Mr. KING, and Mr. MANCHIN):

S. 1740. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, 2 weeks ago, the Supreme Court handed down a wonderful decision recognizing that all Americans have the right to marry the man or woman they love. It was a triumphant movement in the march toward justice, one I was happy to celebrate at home with a group of Oregonians who were truly elated. In my remarks that morning, I said: Love won and there is more to be done.

So, today, along with 36 colleagues, I am introducing the Equal Dignity for Married Taxpayers Act of 2015. What this legislation does is it removes each gender-specific reference to marriage from the Tax Code. Now, in his opinion for the Court, Justice Kennedy pointed out the importance of providing equal dignity in the eyes of the law.

Our legislation enshrines that equal dignity and respect in our Nation's tax laws by recognizing a new dawn of liberty for all Americans. In my view, on a more symbolic level, this legislation is one way to help close the door on an era when too many of our laws denied equality to the LGBTQ community. In my view, this is a particularly important step in the march toward justice. It is a straightforward way to cement the recognition that all Americans share certain unalienable rights—among them, life, liberty, and the pursuit of happiness.

I was proud to vote against the Defense of Marriage Act in the Congress 20 years ago and fight measure 36 a decade ago in Oregon. I have always said—always said—that if you don't like gay marriage, don't get one. This is fundamentally an issue of justice and of liberty. I hope all Americans take pride in the wave of acceptance and equality that has rolled across our land and this decision embodies.

This legislation now has 36 cosponsors. My hope is this body will support this proposal on a bipartisan basis. I look forward to working with our colleagues to take this next step. It is a step toward the arc of justice—the arc of justice that says that all of us—all of us—have to be free. All of us should enjoy true and full equality for all Americans. I am very pleased 36 colleagues are joining me in this proposal this morning. I hope the Senate will pass it expeditiously on a bipartisan basis.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1743. A bill to provide greater transparency, accountability, and safety authority to the National Highway Traffic Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON. Mr. President, today, I am introducing the Motor Vehicle Safety Act of 2015. I introduce this bill with Senator BLUMENTHAL, the Ranking Member of the Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, as well as Senator MARKEY, a valued Member of the Commerce Committee.

Takata airbags. GM ignition switches. Toyota unintended acceleration. By now, we all know the tragic stories: automakers and suppliers hiding dangerous defects for years right under the nose of a weak, under-resourced regulator. The result? Scores of deaths, hundreds of injuries, and millions of vehicles still under recall that are endangering lives both inside and outside the cars.

Every year, over 32,000 people die on our roadways—32,000 lives cut short, 32,000 families without a loved one. Car accidents are by far the top cause of accidental deaths. But it doesn't have to be this way. Congress can adopt practical solutions to help make cars safer and improve the recall process and, in turn, save lives. That is exactly what this legislation is designed to do—to take the lessons we have learned from exploding Takata airbags, defective GM ignition switches, and several other recent serious recalls to ensure that a company can never again hide a lethal defects from the public, to improve the way we recall dangerous cars, and to harness American innovation and ingenuity to make vehicles safer.

Many of the concepts in today's bill are not new. Indeed, many of the provisions in the bill have passed the Senate before with bipartisan support. The Motor Vehicle Safety Act of 2015 that Senators BLUMENTHAL, MARKEY, and I introduce today includes provisions from bills introduced by myself, Senators BLUMENTHAL, MARKEY, GILLIBRAND, SCHATZ, BOOKER, and former Chairman Rockefeller. Like the earlier bills, this legislation is predicated on improving four things: transparency, wrongdoer accountability, vehicle safety, and recall effectiveness.

First, government transparency. The Department of Transportation Inspector General identified several problems with how NHTSA processes early warning data. This bill seeks to help remedy those problems and increase the transparency of the information the agency receives. For example, the bill would require NHTSA to upgrade its online databases to improve searchability and to consider early warning data when investigating potential safety defects. The bill would also require NHTSA to disclose information submitted by manufacturers to NHTSA through the Early Warning Reporting system unless the information is exempt under FOIA. Finally, motor vehicle and equipment manufacturers would have to automatically submit documentation that first alerted them to a fatality involving their vehicle or equipment to NHTSA's Early Warning Reporting database.

Second, wrongdoer accountability. The bill would remove the cap on NHTSA's civil penalty authority, which is currently at $35 million NHTSA's civil penalty authority must be bolstered to deter highly profitable corporations from violating safety laws. Otherwise, we get what we have now: companies treating NHTSA's civil penalties as a mere cost of doing business. Just look at the GM case, where the maximum $35 million civil penalty represented less than 1/1000 of GM's quarterly revenues, which is over $35 billion. In addition, the bill would impose criminal penalties on corporate executives who knowingly conceal the fact that their product poses a danger of death or serious injury. Corporate executives who hide serious dangers from the public shouldn't get off the hook.

Third, vehicle safety. The bill would authorize NHTSA to conduct new research and implement life-saving standards to make vehicles safer. For example, it would require large commercial trucks to have crash avoidance technologies, and it would improve car hoods and bumpers to reduce pedestrian fatalities and injuries. The legislation also would task NHTSA with evaluating whether technology exists to help prevent children from being left in hot cars. These changes just make sense, and they would save lives.

Lastly, recall effectiveness. The major lesson from the Takata, GM, and other defect debacles is that we need to improve the recall process so that unsafe vehicles get fixed as quickly as possible. This bill would do just that by improving NHTSA's recall authority, asking dealers to adopt commonsense practices, and exploring new ways to

notify consumers of recalls. First, the Motor Vehicle Safety Act of 2015 would give NHTSA the authority to expedite recalls in the case of substantial likelihood of death or serious injury. Second, the legislation would ensure that used car dealers fix cars under recall before selling them. The fact that used car dealers can still sell vehicles under recall without bothering to fix them is appalling—several individuals who died from exploding Takata airbags had purchased used cars that hadn't been fixed. My legislation would also require authorized dealers to check for open recalls when a car is brought in for any service—something that should already be very quick and doable for dealers. Third, the bill would create grant programs to allow states to participate in the recall notification process by notifying drivers of open recalls when the DMV sends registration renewals. Finally, NHTSA would have promulgate a rule requiring new vehicles have a warning feature—similar to tire pressure monitor or oil change light on the dashboard—that would notify consumers that their cars are subject to a safety recall. With innovations like backup cameras and connected cars, we've seen how technology improves safety. I am very excited about the possibility that technology can also ensure that a driver knows his or her car is under recall and, as a result, prevent injuries and deaths from safety defects.

The American public demands that we do something meaningful to keep them safe on the road. There will be more recalls in the future—it is inevitable. And the consequences can be deadly. But they don't have to be. Improving the recall process can and will save lives. I realize our bill may not get us to 100 percent completion of recalls or perfect motor vehicle safety, but I am confident that it would go a long way towards improving recall effectiveness, adding practical safety technologies to vehicles, and making Americans safer on our nation's roads and highways.

I want to thank my colleagues, Senators BLUMENTHAL and MARKEY, for helping me on this extremely important bill and for their dedication to making our roads safer.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Motor Vehicle Safety Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

(c) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, unless expressly provided otherwise, the term ''Secretary'' means the Secretary of Transportation.

TITLE I—TRANSPARENCY AND ACCOUNTABILITY

SEC. 101. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 102 of this Act, that must be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with the Director of the Office of Government Information Services within the National Archives and Records Administration and the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION AND LIMITATION.—The Secretary shall promulgate the regulations with a presumption in favor of maximum public availability of information. In promulgating regulations under subsection (a), the following types of information shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code:

(1) Vehicle safety defect information related to incidents involving death or injury.

(2) Aggregated numbers of property damage claims.

(3) Aggregated numbers of consumer complaints related to potential vehicle defects.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of enactment of this Act, the regulations establishing early warning reporting class determinations in Appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

SEC. 102. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking ''The manufacturer'' and inserting the following:

''(i) IN GENERAL.—The manufacturer''; and

(B) by adding at the end the following:

''(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

''(I) all initial claim or notice documents, as defined by the Secretary through regulation, except media reports, that notified the manufacturer of the incident;

''(II) any police reports or other documents, as defined by the Secretary through regulation, that relate to the initial claim or notice (except for documents that are protected by the attorney-client privilege or work product privileges that are not already publicly available), that describe or reconstruct the incident, and that are in the actual possession or control of the manufacturer at the time the incident report is submitted;

''(III) any amendments or supplements, as defined by the Secretary through regulation, to the initial claim or notice documents described in subclause (I), except for—

''(aa) medical documents and bills;

''(bb) property damage invoices or estimates; and

''(cc) documents related to damages; and

''(IV) any police reports or other documents described in subclause (II) that are obtained by the manufacturer after the submission of its incident report.'';

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

''(C) DISCLOSURE.—

''(i) IN GENERAL.—The information provided to the Secretary under this subsection shall—

''(I) be disclosed publicly; and

''(II) be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.

''(ii) INFORMATION DISCLOSURE REQUIREMENTS.—In administering this subparagraph, the Secretary shall—

''(I) presume in favor of maximum public availability of information;

''(II) require the publication of information on incidents involving death or injury; and

''(III) require the publication of numbers of property damage claims.''; and

(3) by adding at the end the following:

''(6) SECTION 552 OF TITLE 5.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed consistently with the requirements of section 552 of title 5.

''(7) USE OF EARLY WARNING REPORTS.—The Secretary shall consider information gathered under this subsection in proceedings described in sections 30118 and 30162.''.

SEC. 103. IMPROVED NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION VEHICLE SAFETY DATABASES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and after public consultation, the Secretary shall improve public accessibility to information on the National Highway Traffic Safety Administration's publicly accessible vehicle safety databases—

(1) by improving organization and functionality, including design features such as drop-down menus, and allowing for data from all of the publicly accessible vehicle safety databases to be searched, sorted, aggregated, and downloaded in a manner—

(A) consistent with the public interest; and

(B) that facilitates easy use by consumers;

(2) by providing greater consistency in presentation of vehicle safety issues;

(3) by improving searchability about specific vehicles and issues through standardization of commonly used search terms and the integration of databases to enable all to be simultaneously searched using the same keyword search function; and

(4) by ensuring that all studies, investigation reports, inspection reports, incident reports, and other categories of materials, as specified through the rulemaking under section 101(a), be made publicly available in a manner that is searchable in databases by—

(A) manufacturer name, vehicle or equipment make and model name, and model year;

(B) reported system or component;

(C) number of injuries or fatalities; and

(D) any other element that the Secretary determines to be in the public interest.

(b) INVESTIGATION INFORMATION.—The Secretary shall—

(1) provide public notice of information requests to manufacturers issued under section 30166 of title 49, United States Code; and

(2) make such information requests, the manufacturer's written responses to the information requests, and notice of any enforcement or other action taken as a result of the information requests—

(A) available to consumers on the Internet not later than 5 days after such notice is issued; and

(B) searchable by manufacturer name, vehicle or equipment make and model name, model year, system or component, and the type of inspection or investigation being conducted.

(c) SECTION 552 OF TITLE 5.—Any requirement for the Secretary to publicly disclose information under this section shall be construed consistently with the requirements of section 552 of title 5, United States Code.

SEC. 104. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Motor Vehicle Safety Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 105. REPORTS TO CONGRESS.

(a) ABILITY TO IDENTIFY AND INVESTIGATE VEHICLE SAFETY CONCERNS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, and biennially thereafter for 6 years, the Inspector General of the Department of Transportation shall update the Inspector General's report dated June 18, 2015 (ST–2015–063) on the pre-investigation processes used by the Office of Defects Investigation of the National Highway Traffic Safety Administration (referred to in this section as ''NHTSA'') to collect and analyze vehicle safety data and to determine potential safety issues and whether those processes were sufficiently improved, including an assessment of—

(A) the sufficiency of NHTSA's procedures and practices for collecting, verifying the accuracy and completeness of, analyzing, and determining whether to further investigate potential safety issues described in consumer complaints and manufacturer submittals to the early warning report system;

(B) the number and type of requests for information made by NHTSA based on data received in the early warning reporting system and consumer complaints received;

(C) the number of safety defect investigations opened by NHTSA based on information reported to NHTSA through the early warning reporting system, consumer complaints, or other sources;

(D) the nature and vehicle defect category of each safety defect investigation described in subparagraph (C);

(E) the duration of each safety defect investigation described in subparagraph (C), including—

(i) the number of safety defect investigations described in subparagraph (C) that are subsequently closed without further action; and

(ii) the number and description of safety defect investigations described in subparagraph (C) that have been open for more than 1 year;

(F) the percentage of the safety defect investigations described in subparagraph (C) that result in a finding of a safety defect, recall, or service information campaign;

(G) the status and sufficiency of NHTSA's compliance with each recommendation designed to improve vehicle safety made by the Inspector General; and

(H) other information the Inspector General considers appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than 30 days after the date that a report under paragraph (1) is complete, the Inspector General shall transmit the report to—

(i) the Committee on Commerce, Science, and Transportation of the Senate; and

(ii) the Committee on Energy and Commerce of the House of Representatives.

(B) PUBLIC.—The Inspector General shall make the report public as soon as practicable, but not later than 30 days after the date the report is transmitted under subparagraph (A).

(b) REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary shall prepare a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating expertise across NHTSA, and the priorities of the Council over the next 5 years.

(2) SUBMISSION OF REPORT.—The Secretary shall submit the report upon completion to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

TITLE II—ENHANCED SAFETY AUTHORITY AND CONSUMER PROTECTION

SEC. 201. CIVIL PENALTIES.

(a) IN GENERAL.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) in the first sentence—

(i) by inserting ''or causes the violation of'' after ''violates''; and

(ii) by striking ''$5,000'' and inserting ''$25,000''; and

(B) by striking the third sentence;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$10,000'' and inserting ''$100,000''; and

(B) in subparagraph (B), by striking the second sentence; and

(3) in paragraph (3)—

(A) in the first sentence, by inserting ''or causes the violation of'' after ''violates'';

(B) in the second sentence, by striking ''$5,000'' and inserting ''$25,000''; and

(C) by striking the third sentence.

(b) CONSTRUCTION.—Nothing in this section shall be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

SEC. 202. CRIMINAL PENALTIES.

(a) REPORTING STANDARDS.—

(1) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

''CHAPTER 101A—REPORTING STANDARDS

''§ 2081. Definitions

''In this chapter—

''(1) the term 'appropriate Federal agency' means an agency with jurisdiction over a covered product, covered service, or business practice;

''(2) the term 'business entity' means a corporation, company, association, firm, partnership, sole proprietor, or other business entity;

''(3) the term 'business practice' means a method or practice of—

''(A) manufacturing, assembling, designing, researching, importing, or distributing a covered product;

''(B) conducting, providing, or preparing to provide a covered service; or

''(C) otherwise carrying out business operations relating to covered products or covered services;

''(4) the term 'covered product' means a product manufactured, assembled, designed, researched, imported, or distributed by a business entity that enters interstate commerce;

''(5) the term 'covered service' means a service conducted or provided by a business entity that enters interstate commerce;

''(6) the term 'responsible corporate officer' means a person who—

''(A) is an employer, director, or officer of a business entity;

''(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product), covered service, or business practice of the business entity; and

''(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

''(i) an appropriate Federal agency;

''(ii) employees of the business entity; or

''(iii) individuals, other than employees of the business entity, who may be exposed to the serious danger;

''(7) the term 'serious bodily injury' means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

''(A) creates a substantial risk of death; or

''(B) causes—

''(i) serious permanent disfigurement;

''(ii) unconsciousness;

''(iii) extreme pain; or

''(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

''(8) the term 'serious danger' means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product, covered service, or business practice has an imminent risk of causing death or serious bodily injury to an individual; and

''(9) the term 'warn affected employees' means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger in the course of work for a business entity, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

''§ 2082. Failure to inform and warn

''(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a covered product), covered service, or business practice of a business entity, a business entity and any responsible corporate officer with respect to the covered product, covered service, or business practice, shall—

''(1) as soon as practicable and not later than 24 hours after acquiring such knowledge, verbally inform an appropriate Federal agency of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that an appropriate Federal agency has been so informed;

''(2) not later than 15 days after acquiring such knowledge, inform an appropriate Federal agency in writing of the serious danger;

''(3) as soon as practicable, but not later than 30 days after acquiring such knowledge, warn affected employees in writing, unless the business entity or responsible corporate officer has actual knowledge that affected employees have been so warned; and

''(4) as soon as practicable, but not later than 30 days after acquiring such knowledge, inform individuals, other than affected employees, who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified.

''(b) PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

''(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

''(c) CIVIL ACTION TO PROTECT AGAINST RETALIATION.—

''(1) PROHIBITION.—It shall be unlawful to knowingly discriminate against any person in the terms or conditions of employment, in retention in employment, or in hiring because the person informed a Federal agency, warned employees, or informed other individuals of a serious danger associated with a covered product, covered service, or business practice, as required under this section.

''(2) ENFORCEMENT ACTION.—

''(A) IN GENERAL.—A person who alleges discharge or other discrimination by any person in violation of paragraph (1) may seek relief under paragraph (3), by—

''(i) filing a complaint with the Secretary of Labor; or

''(ii) if the Secretary has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(B) PROCEDURE.—

''(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49.

''(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49 shall be made to the person named in the complaint and to the employer.

''(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49.

''(iv) STATUTE OF LIMITATIONS.—An action under subparagraph (A) shall be commenced not later than 180 days after the date on which the violation occurs, or after the date on which the employee became aware of the violation.

''(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

''(3) REMEDIES.—

''(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

''(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

''(i) reinstatement with the same seniority status that the employee would have had, but for the discrimination;

''(ii) the amount of back pay, with interest; and

''(iii) compensation for any special damages sustained as a result of the discrimination, including litigation costs, expert witness fees, and reasonable attorney fees.

''(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this subsection shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

''(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

''(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.

''§ 2083. Relationship to existing law

''(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

''(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

''(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

''(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

''101A. Reporting standards ..... 2081''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the date that is 1 year after the date of enactment of this Act.

(b) PROHIBITION ON RENDERING SAFETY ELEMENTS INOPERATIVE.—Section 30122 is amended by amending subsection (b) to read as follows:

''(b) PROHIBITION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a person may not knowingly make inoperative any part of a device or element of design installed on or in a motor vehicle or motor vehicle equipment in compliance with an applicable motor vehicle safety standard prescribed under this chapter unless the person reasonably believes the vehicle or equipment will not be used (except for testing or a similar purpose during maintenance or repair) when the device or element is inoperative.

''(2) EXCEPTION.—The prohibition under paragraph (1) does not apply to a modification made by an individual to a motor vehicle or item of equipment owned or leased by that individual.''.

(c) CRIMINAL LIABILITY.—Section 30170 is amended by adding at the end the following;

''(c) CRIMINAL LIABILITY FOR TAMPERING WITH MOTOR VEHICLE SAFETY ELEMENTS.—Whoever knowing that he will endanger the safety of any person on board a motor vehicle or anyone who he believes will board the same, or with a reckless disregard for the safety of human life, violates section 30122(b) under this title shall be subject to criminal penalties under section 33(a) of title 18.''.

SEC. 203. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) enter into cooperative agreements (in coordination with the Department of State) and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State),'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

SEC. 204. IMMINENT HAZARD AUTHORITY.

Section 30118(b) is amended—

(1) in paragraph (1), by striking ''(1) The Secretary may'' and inserting ''(1) IN GENERAL.—Except as provided under paragraph (3), the Secretary may'';

(2) in paragraph (2), by inserting ''ORDERS.—'' before ''If the Secretary''; and

(3) by adding after paragraph (2) the following:

''(3) IMMINENT HAZARDS.—

''(A) DECISIONS AND ORDERS.—If the Secretary makes an initial decision that a defect or noncompliance, or combination of both, under subsection (a) presents an imminent hazard, the Secretary—

''(i) shall notify the manufacturer of a motor vehicle or replacement equipment immediately under subsection (a); and

''(ii) shall order the manufacturer of the motor vehicle or replacement equipment to immediately—

''(I) give notification under section 30119 of this title to the owners, purchasers, and dealers of the vehicle or equipment of the imminent hazard; and

''(II) remedy the defect or noncompliance under section 30120 of this title;

''(iii) notwithstanding section 30119 or 30120, may order the time for notification, means of providing notification, earliest remedy date, and time the owner or purchaser has to present the motor vehicle or equipment, including a tire, for remedy; and

''(iv) may include in an order under this subparagraph any other terms or conditions that the Secretary determines necessary to abate the imminent hazard.

''(B) OPPORTUNITY FOR ADMINISTRATIVE REVIEW.—Subsequent to the issuance of an order under subparagraph (A), opportunity for administrative review shall be provided in accordance with section 554 of title 5, except that such review shall occur not later than 10 days after issuance of such order.

''(C) DEFINITION OF IMMINENT HAZARD.—In this paragraph, the term 'imminent hazard' means any condition which substantially increases the likelihood of serious injury or death if not remedied immediately.''.

SEC. 205. USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.

(a) IN GENERAL.—Section 30120 is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall take effect on the date that is 18 months after the date of enactment of this Act.

SEC. 206. UNATTENDED CHILDREN WARNING SYSTEM.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of performance requirements to warn a driver that a child or other unattended passenger remains in a rear seating position after a vehicle motor is disengaged.

(b) SPECIFICATIONS.—In completing the research under subsection (a), the Secretary shall consider performance requirements that—

(1) sense weight, the presence of a buckled seat belt, or other indications of the presence of a child or other passenger; and

(2) provide an alert to prevent hyperthermia and hypothermia that can result in death or severe injuries.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the date that the research under subsection (a) is complete, the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code. The Secretary shall complete the rulemaking and issue a final rule not later than 2 years after the date the rulemaking is initiated.

(2) REPORT.—If the Secretary determines that the standard described in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

SEC. 207. COLLISION AVOIDANCE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish a Federal motor vehicle safety standard requiring a motor vehicle with a gross vehicle weight rating greater than 26,000 pounds be equipped with crash avoidance and mitigation systems, such as forward collision automatic braking systems and lane departure warning systems.

(b) PERFORMANCE AND STANDARDS.—The regulations prescribed under subsection (a) shall establish performance requirements and standards to prevent collisions with moving vehicles, stopped vehicles, pedestrians, cyclists, and other road users.

(c) EFFECTIVE DATE.—The regulations prescribed by the Secretary under this section shall take effect 2 years after the date of publication of the final rule.

SEC. 208. MOTOR VEHICLE PEDESTRIAN PROTECTION.

Not later than 2 years after the date of the enactment of this Act, the Secretary, through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

(1) establishes standards for the hood and bumper areas of motor vehicles, including passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less, in order to reduce the number of injuries and fatalities suffered by pedestrians who are struck by such vehicles; and

(2) considers the protection of vulnerable pedestrian populations, including children and older adults.

TITLE III—FUNDING

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Section 30104 is amended—

(1) by striking ''$98,313,500''; and

(2) by striking ''this part in each fiscal year beginning in fiscal year 1999 and ending in fiscal year 2001.'' and inserting the following: ''this chapter and to carry out the Motor Vehicle Safety Act of 2015—

''(1) $179,000,000 for fiscal year 2016;

''(2) $187,055,000 for fiscal year 2017;

''(3) $195,659,530 for fiscal year 2018;

''(4) $204,268,549 for fiscal year 2019;

''(5) $214,073,440 for fiscal year 2020; and

''(6) $223,920,818 for fiscal year 2021.''.

TITLE IV—RECALL PROCESS IMPROVEMENTS

SEC. 401. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended to read as follows:

''§ 30120A. Recall obligations and bankruptcy of a manufacturer

''Notwithstanding any provision of title 11, United States Code, a manufacturer's duty to comply with section 30112, sections 30115 through 30121, and section 30166 of this title shall be enforceable against a manufacturer or a manufacturer's successors-in-interest whether accomplished by merger or by acquisition of the manufacturer's stock, the acquisition of all or substantially all of the manufacturer's assets or a discrete product line, or confirmation of any plan of reorganization under section 1129 of title 11.''.

SEC. 402. DEALER REQUIREMENT TO CHECK FOR AND REMEDY RECALL.

Section 30120(f) is amended to read as follows:

''(f) DEALERS.—

''(1) FAIR REIMBURSEMENT TO DEALERS.—A manufacturer shall pay fair reimbursement to a dealer providing a remedy without charge under this section.

''(2) REQUIREMENTS.—Each time a defective or noncomplying motor vehicle is presented to a dealer by the owner of that motor vehicle for any service on that motor vehicle, the dealer shall—

''(A) inform the owner of the defect or noncompliance; and

''(B) with consent from the owner, remedy the defect or noncompliance without charge under this section.''.

SEC. 403. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

SEC. 404. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking for a regulation to require a warning system in each new motor vehicle to indicate to the operator in a conspicuous manner when the vehicle is subject to an open recall.

(b) FINAL RULE.—The Secretary shall prescribe final standards not later than 3 years after the date of enactment of this Act.

SEC. 405. STATE NOTIFICATION OF OPEN SAFETY RECALLS.

(a) GRANT PROGRAM.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(b) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(A) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(B) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(C) notify the motor vehicle owner of the safety recalls described in subparagraph (B); and

(3) provide such other information or notification as the Secretary may require.

SEC. 406. RECALL COMPLETION PILOT GRANT PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(b) GRANTS.—To carry out this program, the Secretary shall make a grant to a State to be used to implement the pilot program

described in subsection (a) in accordance with the requirements under subsection (c).

(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in section 405 of this Act;

(3) except as provided in subsection (d), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(4) provide such other information or notification as the Secretary may require.

(d) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under subsection (c)(3) if—

(1) the recall occurred not earlier than 75 days prior to the registration or renewal date;

(2) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(3) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(e) AWARD.—In selecting an applicant for award under this section, the Secretary shall consider the State's methodology for—

(1) determining safety recalls on a motor vehicle;

(2) informing the owner or lessee of a motor vehicle of the safety recalls;

(3) requiring the owner or lessee of a motor vehicle to repair any safety recall prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(4) determining performance in increasing the safety recall completion rate.

(f) PERFORMANCE PERIOD.—A grant awarded under this section shall require a performance period for at least 2 years.

(g) REPORT.—Not later than 90 days after the completion of the performance period under subsection (f) and the obligations under the pilot program, the grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(h) EVALUATION.—Not later than 1 year after the date the Secretary receives the report under subsection (g), the Secretary shall evaluate the extent to which safety recalls identified under subsection (c) have been remedied.

SEC. 407. IMPROVEMENTS TO NOTIFICATION OF DEFECT OR NONCOMPLIANCE.

(a) IMPROVEMENTS TO NOTIFICATION.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY ELECTRONIC MAIL.—Section 30118(c) is amended by inserting ''or electronic mail'' after ''certified mail''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 219—DESIGNATING JULY 25, 2015, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. ENZI (for himself, Mr. BARRASSO, Mr. CRAPO, Mr. RISCH, Ms. HEITKAMP, Mr. INHOFE, Mr. TESTER, Mr. ROUNDS, Mr. LANKFORD, Mr. THUNE, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 219

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 25, 2015, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 220—COMMEMORATING THE 50TH ANNIVERSARY OF THE MEDORA MUSICAL

Ms. HEITKAMP (for herself and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 220

Whereas the Medora Musical, a nationally renowned musical production of Western American patriotism, held its first production on July 1, 1965, alongside what is now the Theodore Roosevelt National Park;

Whereas more than 3,500,000 guests have experienced the incredible tribute in the Medora Musical to Theodore Roosevelt and his life in the North Dakota Badlands;

Whereas the Burning Hills Amphitheater, which is home to the Medora Musical and overlooks the Little Missouri River Valley, seats as many as 2,900 guests each night and features the Burning Hills Singers, the Coal Diggers Band, and various comedy and variety acts;

Whereas thousands of performers audition to join the professional team of the Medora Musical and work alongside 300 annual employees representing 20 or more countries and more than 500 volunteers to create one of the finest attractions in North Dakota;

Whereas each summer, the Medora Musical runs an impressive season with a 2 hour show every night for 94 consecutive days;

Whereas the Theodore Roosevelt Medora Foundation, established in 1986 by philanthropist and entrepreneur Harold Schafer, has played a profound role in promoting North Dakota tourism and bringing families of all generations together;

Whereas the city of Medora, North Dakota, home to the Medora Musical and gateway to the Theodore Roosevelt National Park, hosts more than 250,000 visitors each year, and more than 600,000 tourists from around the world visit the park each year;

Whereas the Theodore Roosevelt Medora Foundation, which has invested more than $30,000,000 in Medora, North Dakota, raised more than $36,000,000 in donations from more than 3,700 contributors to preserve the history of Medora, North Dakota, and the values of President Theodore Roosevelt;

Whereas President Theodore Roosevelt, following his time in the Badlands near Medora, North Dakota, likened the wondrous appeal of the Badlands to a one-of-a-kind beauty found nowhere else in the world;

Whereas President Theodore Roosevelt often said he would not have been President had it not been for his experiences in North Dakota, and many of those experiences are preserved today through the Medora Musical, Theodore Roosevelt National Park, and the Theodore Roosevelt Medora Foundation; and

Whereas, on July 1, 2015, the Medora Musical celebrates its 50th anniversary: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Medora Musical on its 50th anniversary;

(2) recognizes the remarkable talents and achievements of the many cast and crew members and volunteers of the Medora Musical who embody the true spirit of the patriotism and stewardship of the United States; and

(3) acknowledges the contributions of the Theodore Roosevelt Medora Foundation to preserving the life and legacy of President Theodore Roosevelt.

SENATE RESOLUTION 221—RECOGNIZING THE 100TH ANNIVERSARY OF ROCKY MOUNTAIN NATIONAL PARK

Mr. GARDNER (for himself, Mr. BENNET, and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 221

Whereas in 1909, reflecting on the beauty of what would become Rocky Mountain National Park, park promoter, Enos Mills wrote, ''In years to come when I am asleep

beneath the pines, thousands of families will find rest and hope in this park'';

Whereas on January 26, 1915, President Woodrow Wilson signed into law the Act commonly known as the ''Rocky Mountain National Park Act'' (38 Stat. 798, chapter 19), which gave that land the special designation of a national park and preserved the land for the enjoyment of all people of the United States;

Whereas 2015 marks the 100th anniversary of the establishment of Rocky Mountain National Park;

Whereas Rocky Mountain National Park is not only a State treasure, but a national treasure that attracts more than 3,000,000 visitors each year, and benefits national, State, and local economies by generating millions of dollars in revenue;

Whereas Rocky Mountain National Park provides visitors with unparalleled opportunities to experience hundreds of miles of hiking trails, nearly 150 lakes, and scenic vistas including tundra and montane ecosystems;

Whereas on March 30, 2009, 95 percent of Rocky Mountain National Park was designated as wilderness and the park showcases the diverse natural beauty of these rugged mountains;

Whereas Rocky Mountain National Park has an average altitude higher than any other national park in the United States, with dozens of mountains higher than 12,000 feet in elevation, including Longs Peak, which stands at a massive 14,259 feet;

Whereas Rocky Mountain National Park remains an iconic Colorado landscape with significant cultural connections to Native Americans;

Whereas Rocky Mountain National Park protects 415 square miles of diverse ecosystems and is home to a wide array of wildlife, including bighorn sheep, bears, beavers, marmots, moose, mountain lions, and elk;

Whereas the National Park Service will continue the long tradition of preserving and protecting Rocky Mountain National Park for years to come, providing access to the wilderness and wildlife within Rocky Mountain National Park for generations of Americans; and

Whereas on September 4, 2015, the National Park Service intends to re-dedicate Rocky Mountain National Park for the next 100 years;

Now, therefore, be it

Resolved, That the Senate-

(1) congratulates and celebrates Rocky Mountain National Park on the 100th anniversary of the establishment of the park;

(2) encourages all people of Colorado and of the United States to visit that unique national treasure; and

(3) declares September 4, 2015, as Rocky Mountain National Park Day.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2178. Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2179. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2180. Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2181. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2182. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2183. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2184. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2185. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2186. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2187. Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2188. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2189. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2190. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2191. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2192. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2193. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2194. Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2195. Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2196. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2197. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2198. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2199. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2200. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2201. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2202. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2203. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2204. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2205. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2206. Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2207. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2208. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2209. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2210. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2211. Mr. BENNET submitted an amendment intended to be proposed to

amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2212. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2213. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2214. Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr . NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

TEXT OF AMENDMENTS

SA 2178. Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 170, strike lines 20 through 25, and insert the following:

''(A) IN GENERAL.—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency's allocation under subpart 2 for the fiscal year for which the determination is made is $5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than the 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.'';

SA 2179. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

PART C—LOCAL LEADERSHIP IN EDUCATION

SEC. 10301. SHORT TITLE.

This part may be cited as the ''Local Leadership in Education Act''.

SEC. 10302. PROHIBITIONS IN THE ELEMENTARY AND SECONDARY EDUCATION ACT.

(a) GENERAL PROHIBITIONS.—Section 9527 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7907), as amended by section 9110, is further amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) GENERAL PROHIBITIONS.—

''(1) IN GENERAL.—An officer or employee of the Federal Government shall not directly or indirectly, through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401)—

''(A) mandate, direct, or control a State, local educational agency, or school's academic standards, curriculum, program of instruction, or allocation of State or local resources;

''(B) mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

''(C) incentivize a State, local educational agency, or school to adopt any specific academic standards or a specific curriculum or program of instruction, which shall include providing any priority, preference, or special consideration during an application process based on any specific academic standards, curriculum, or program of instruction;

''(D) make financial support available in a manner that is conditioned upon a State, local educational agency, or school's adoption of specific instructional content, academic standards, or curriculum, or on the administration of assessments or tests, even if such requirements are specified in this Act; or

''(E) mandate or require States to administer assessments or tests to students.

''(2) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government directly or indirectly, whether through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401), to do any activity prohibited under subsection (a).'';

(2) by redesignating subsection (c) as subsection (a); and

(3) by adding at the end the following:

''(b) PROHIBITION ON ASSESSMENTS IN TITLE I.—Part A of title I shall be carried out without regard to any requirement that a State carry out academic assessments or that local educational agencies, elementary schools, and secondary schools make adequate yearly progress.''.

(b) PROHIBITION ON WAIVER CONDITIONS, REQUIREMENTS, OR PREFERENCES.—Section 9401 (20 U.S.C. 7861), as amended by section 9105, is further amended by striking subsection (h) and inserting the following:

''(h) PROHIBITION ON WAIVER CONDITIONS.—

''(1) IN GENERAL.—The Secretary shall not establish as a condition for granting a waiver under this section—

''(A) the approval of academic standards by the Federal government; or

''(B) the administration of assessments or tests to students.

''(2) EFFECT ON PREVIOUSLY ISSUED WAIVERS.—

''(A) IN GENERAL.—Any requirement described in paragraph (1) that was required for a waiver provided to a State, local educational agency, Indian tribe, or school under this section before the date of enactment of the Local Leadership in Education Act shall be void and have no force of law.

''(B) PROHIBITED ACTIONS.—The Secretary shall not—

''(i) enforce any requirement that is void pursuant to subparagraph (A); and

''(ii) require the State, local educational agency, Indian tribe, or school to reapply for a waiver, or to agree to any other condition to replace any requirement that is void pursuant to subparagraph (A), until the end of the period of time specified under the waiver.

''(C) NO EFFECT ON OTHER PROVISIONS.—Any other provisions or requirements of a waiver provided under this section before the date of enactment of the Local Leadership in Education Act that are not affected by subparagraph (A) shall remain in effect for the period of time specified under the waiver.''.

SEC. 10303. PROHIBITION IN THE GENERAL EDUCATION PROVISIONS ACT.

Section 438 of the General Education Provisions Act (20 U.S.C. 1232a) is amended—

(1) by striking ''No provision of any applicable program shall be construed to authorize any department, agency, officer, or employee of the United States to'' and inserting ''A department, agency, officer, or employee of the United States shall not'';

(2) by inserting ''(including the development of curriculum)'' after ''over the curriculum''; and

(3) by striking ''to'' after ''institution or school system, or''.

SEC. 10304. PROHIBITION IN RACE TO THE TOP FUNDING.

Title XIV of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by inserting after section 14007 the following:

''SEC. 14007A. PROHIBITION ON ASSESSMENTS.

''Notwithstanding any other provision of law, no funds provided under section 14006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5, 123 Stat. 283) shall be used to develop, pilot test, field test, implement, administer, or distribute any assessment or testing materials.''.

SA 2180. Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 28, between lines 6 and 7, insert the following:

''(vi) include in the plan a description of assessments referred to in paragraph (2), or an accountability system referred to in paragraph (3), of subsection (b), nor may the Secretary require inclusion of a description of such assessments or system in a plan or application, or use inclusion of such assessments or system as a factor in awarding Federal funding, under any other provision of this Act; or

On page 28, line 7, strike ''(vi)'' and insert ''(vii)''.

On page 36, strike line 18 and all that follows through line 25 on page 58, and insert the following:

''(2) ASSESSMENTS.—A State may include in the State plan a description of, and may implement, a set of high-quality statewide academic assessments.

''(3) ACCOUNTABILITY.—A State may include in the State plan a description of, and may implement, an accountability system.

On page 146, strike line 1 and all that follows through line 23, on page 166.

On page 183, between lines 6 and 7, insert the following

SEC. 1008A. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.

After section 1118, as redesignated by section 1004(3), insert the following:

''SEC. 1119. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.

''Notwithstanding any other provision of law, including any other provision of this Act, wherever in this Act a reference is made to assessments or accountability under this part, including a reference to a provision under paragraphs (2) or (3) of section 1111(b)—

''(1) in the case of a State that elects to implement assessments referred to in section 1111(b)(2), a reference to assessments under this part shall be deemed to be a reference to those assessments and shall be carried out to the extent practicable based on the State-determined assessments;

''(2) in the case of a State that elects to implement an accountability system referred to in section 1111(b)(3), a reference to accountability under this part shall be deemed to be a reference to accountability

under that system, and shall be carried out to the extent practicable based on the State-determined accountability system; and

''(3) in the case of any State not described in paragraph (1) or (2), the reference shall have no effect.''.

On page 185, strike line 19 and all that follows through line 2 on page 228 and insert the following:

SEC. 1012. REPEAL.

Part B of title I (20 U.S.C. 6361 et seq.) is repealed.

SA 2181. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 70, line 3, strike the period and insert the following: ''; and

''(iii) use funds under this part to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.

SA 2182. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 469, line 22, strike ''as well as'' and insert ''or encourage and develop skills that contribute to''.

SA 2183. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 40, between lines 14 and 15, insert the following:

''(IV) the inclusion of students in programs that use a Native American language, including American Indian, Native Hawaiian, and Alaska Native languages, as the predominant medium language of instruction, including programs funded by the Bureau of Indian Education, who shall have the option to be assessed in a valid and reliable manner in the language of instruction and form most likely to yield accurate data on what such students know and can do in academic content areas, provided that these students are assessed in English in reading or language arts, even where such assessment is also administered in a Native American language;

SA 2184. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 228, between lines 2 and 3, insert the following:

''SEC. 1206. DEMONSTRATION OF NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.

''(a) PURPOSE.—The purpose of this section is to demonstrate coordinated best practice in carrying out the educational purposes and provisions of the Native American Languages Act (25 U.S.C. 2901) in a variety of existing schools taught predominantly through the medium of Native American languages located on or near lands controlled by a Native American entity.

''(b) AWARDING OF PROJECT.—The Secretary shall award a grant to carry out a demonstration project under this section to an entity that meets the criteria described in subsection (c) and has the most experience in Native American language medium education.

''(c) DEMONSTRATION PROJECT.—The demonstration project shall—

''(1) include established schools or programs that have been in existence for not less than 10 years;

''(2) serve Alaska Natives, Native Hawaiians, and American Indians, with at least 1 example school or program from each of these Native categories assisted under this section;

''(3) include example classes in preschool, elementary school, intermediate school, and high school;

''(4) include a diversity of program types located in a variety of school types, including at least 1 example in each of a Bureau of Indian Affairs school, a public school, a charter school, and a private school;

''(5) be for a period of 3 years with an extension for an additional 2 years at the discretion of the Secretary;

''(6) be visited in whole or in part by the Secretary and the Secretary of the Interior or their designees;

''(7) be lead and coordinated by an entity within a tribal, State, or private institution of higher education with a high level of experience in serving the needs of Native American language medium education at a variety of levels and circumstances on a State and national level; and

''(8) provide opportunities for participation of other tribal, State, and private institutions of higher education.

''(d) WAIVERS.—The Secretary may further the purpose of this section by waiving provisions of this Act that the Secretary determines appropriate and not in conflict with other Federal law.

''(e) FUNDING.—The Secretary may fund the demonstration project under this section with unspent funds from other provisions of this Act.

SA 2185. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

''PART J—INNOVATION SCHOOLS DEMONSTRATION AUTHORITY

''SEC. 5910. INNOVATION SCHOOLS.

''(a) PURPOSE.—The purpose of the flexibility authority under this part is to provide local educational agencies with the flexibility to create locally-designed innovation schools in order to achieve increased autonomy and support for innovation schools.

''(b) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency that receives a local flexibility agreement under this part.

''(2) ELIGIBLE STATE EDUCATIONAL AGENCY.—The term 'eligible State educational agency' means a State educational agency that has adopted policies or procedures that allow the development, consideration, and approval of innovation school plans, consistent with the provisions of this part.

''(3) INNOVATION SCHOOL.—The term 'innovation school' means a public school that—

''(A) is established for the purpose of generating enhanced opportunities for students to learn and achieve through increased educator and school-level professional autonomy and flexibility;

''(B) is a collaborative initiative enjoying strong buy-in, pursuant to subparagraphs (F) and (G) of subsection (f)(1), from key stakeholders, including parents, education employees, and representatives of such employees, where applicable;

''(C) ensures equitable access for all student populations;

''(D) operates with the same degree of transparency and is held to the same accountability standards applicable to other schools in the school district served by the local educational agency that serves the innovation school; and

''(E) is not a magnet school.

''(c) AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to allow eligible State educational agencies to receive flexibility authority to provide local educational agencies with flexibility agreements if such eligible State educational agencies—

''(A) demonstrate that flexibility agreements are necessary for the successful operation of innovation schools; and

''(B) provide a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to innovation schools.

''(2) EXCEPTION.—Flexibility authority and flexibility agreements shall not be granted under paragraph (1) with respect to any provision under part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, or section 504 of the Rehabilitation Act of 1973.

''(d) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—Each eligible State educational agency receiving flexibility authority under subsection (c) shall, to the extent practicable and applicable, ensure that local flexibility agreements made with eligible entities—

''(1) prioritize local educational agencies that—

''(A) serve the largest numbers or percentages of students from low-income families; or

''(B) will use the provided flexibility for innovative strategies in schools identified as in need of intervention and support under section 1114; and

''(2) are geographically diverse, including provided to local educational agencies serving urban, suburban, or rural areas.

''(e) STATE APPLICATIONS AND REQUIREMENTS.—

''(1) IN GENERAL.—An eligible State educational agency desiring to receive flexibility authority under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(A) DESCRIPTION OF PROGRAM.—A description of the eligible State educational agency's objectives in supporting innovation schools, and how the objectives of the program will be carried out, including—

''(i) a description of how the State educational agency will—

''(I) support the success of innovation schools;

''(II) inform local educational agencies, communities, and schools of the opportunity for local flexibility agreements under this part;

''(III) work with eligible entities to ensure that innovation schools access all Federal, State, and local funds such schools are eligible to receive;

''(IV) work with eligible entities to ensure that innovation schools receive waivers to all Federal, State, and local laws necessary to implement innovation schools' innovation plans;

''(V) ensure each eligible entity works with innovation schools to ensure inclusion of all students and promote retention of students in the school; and

''(VI) share best and promising practices among innovation schools and other schools;

''(ii) a description of how the State educational agency will actively monitor each eligible entity in a local flexibility agreement to hold innovation schools accountable to ensure a high-quality education, including by approving, re-approving, and revoking the innovation plan and its attendant flexibility based on the performance of the innovation school, in the areas of student achievement, student safety, financial management, and compliance with all applicable statutes; and

''(iii) a description of how the State educational agency will approve local flexibility agreements, including—

''(I) a description of the application each local educational agency desiring to enter into such a flexibility agreement will submit, which application shall include—

''(aa) the school innovation plan;

''(bb) a description of the roles and responsibilities of local educational agencies and of any other organizations with which the local educational agency will partner to open innovation schools, including administrative and contractual roles and responsibilities;

''(cc) a description of the quality controls that will be used by the local educational agency, such as a contract or performance agreement that includes a school's performance in the State's academic accountability system and impact on student achievement;

''(dd) a description of the planned activities to be carried out under the flexibility agreement; and

''(ee) a description of waivers and other flexibility needed to implement the school innovation plan; and

''(II) a description of how the State educational agency will review applications from local educational agencies.

''(B) STATE ASSURANCES.—Assurances from the State educational agency that—

''(i) each eligible entity will ensure that innovation schools have a high degree of autonomy over budget and operations;

''(ii) the State educational agency—

''(I) and each eligible entity entering into a local flexibility agreement under this section will ensure that each innovation school that receives funds under the entity's program is meeting the requirements of this Act, , part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

''(II) will ensure that each eligible entity adequately monitors and provides adequate technical assistance to each innovation school in recruiting, enrolling, and meeting the needs of all students, including children with disabilities and English learners;

''(iii) the State educational agency will ensure that the eligible entity will monitor innovation schools, including by—

''(I) using annual performance data, including graduation rates and student academic achievement data, as appropriate;

''(II) if applicable, reviewing the schools' independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

''(III) holding innovation schools accountable to the academic, financial, and operational quality controls outlined in the innovation plan, such as through renewal, nonrenewal, or revocation of the school's innovation plan;

''(iv) the State educational agency will ensure that, to the greatest extent possible, State and local rules, generally applicable to public schools, will be waived, or otherwise not apply, to the extent necessary, to innovation plans at each innovation school;

''(v) eligible entities will ensure that each innovation school makes publicly available information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, and annual performance and enrollment data for students in the innovation school; and

''(vi) the State educational agency consulted with local educational agencies, schools, teachers, principals, other school leaders, and parents in developing the State application.

''(2) ADDITIONAL ELEMENTS.—The provisions of peer review, approval, determination, demonstration, revision, disapproval, limitations, public review, and additional information applicable to State plans under paragraphs (3), (4), (5), (6), (7), and (8)(B) of section 1111(a) shall apply in the same manner to State applications submitted under this subsection.

''(f) LOCAL EDUCATIONAL AGENCY APPLICATIONS AND REQUIREMENTS.—A local educational agency that desires to enter into a local flexibility agreement shall submit to the State educational agency such information that the State educational agency shall require, including—

''(1) the plans for all approved innovation schools to be served by the local educational agency, which shall include—

''(A) a statement of the innovations school's mission and why designation as an innovation school would enhance the school's ability to achieve its mission;

''(B) a description of the innovations the public school would implement, which may include, innovations in school staffing, curriculum and assessment, class scheduling and size, use of financial and other resources, and faculty recruitment, employment, evaluation, compensation, and extracurricular activities;

''(C) if the innovation school seeks to establish an advisory board, a description of—

''(i) the membership of the board (which may include representatives of teachers, parents, students, the local educational agency, the State educational agency, the business community, institutions of higher education, or other community representatives);

''(ii) its responsibilities in designing and furthering the mission of the innovation school; and

''(iii) how the board will ensure coordination with the local educational agency and State educational agency;

''(D) a listing of the programs, policies, or operational documents within the public school that would be affected by the public school's identified innovations and the manner in which they would be affected, which shall include—

''(i) the research-based educational program the school would implement;

''(ii) the length of school day and school year at the school;

''(iii) the student engagement policies to be implemented at the school;

''(iv) the school's instruction and assessment plan;

''(v) the school's plan to use data, evaluation, and professional learning to improve student achievement;

''(vi) the proposed budget for the school;

''(vii) the proposed staffing plan or staff compensation model for the school; and

''(viii) the professional development needs of leaders and staff to implement the program and how those needs will be addressed;

''(E) an identification of the improvements in academic performance that the school expects to achieve in implementing the innovations;

''(F) evidence that a majority of the administrators employed at the public school support the request for designation as an innovation school;

''(G) evidence that not less than two-thirds of the regularly employed employees at the school vote by secret ballot to approve the school's innovation school plan;

''(H) evidence that the school has strong parental support, demonstrated in a manner determined appropriate by the State educational agency;

''(I) a description of any regulatory or policy requirements that would need to be waived for the public school to implement its identified innovations; and

''(J) any additional information required by the local educational agency in which the innovation plan would be implemented;

''(2) a description of any rules or regulations that the local educational agency will waive in order to provide autonomy to the innovation schools and why waiving such regulations will benefit students;

''(3) a description of any State regulations that the local educational agency seeks to waive in order to provide autonomy to innovation schools, and why waiving such regulations will benefit students; and

''(4) a description of the process that the local educational agency will use to regularly review the progress of innovation schools, including student performance and performance in the State's accountability system and decide whether to revoke or continue the innovation school's autonomy.

''(g) TEACHER CERTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this part, except as provided under paragraph (2), not more than 5 percent of the teachers in an innovation school granted flexibility under this part may be unlicensed or uncertified at any one time. Such unlicensed or uncertified teachers shall become licensed or certified within 3 years of being hired.

''(2) STATE REQUIREMENTS.—Innovation schools located in a State with a more lenient teacher license or certification requirement than the requirement described in paragraph (1) may hire teachers in accordance with State teacher license or certification requirements.

''(h) REPORTING REQUIREMENTS AND ASSESSMENTS.—

''(1) REPORTING.—Each eligible State educational agency receiving the flexibility authority granted by the Secretary under this section shall submit to the Secretary, at the end of the third year of the demonstration period and at the end of any renewal period, a report that includes the following:

''(A) The number of students served by each innovation school under this part and, if applicable, the number of new students served during each year of the demonstration period, expressed as a total number and as a percentage of the students enrolled in the State and relevant local educational agencies.

''(B) The number of innovation schools served under this part.

''(C) An overview of the innovations implemented in the innovation schools and the innovation school zones in the districts of innovation.

''(D) An overview of the academic performance of the students served in innovation schools, including a comparison between the students' academic performance before and since implementation of the innovations.

''(2) EVALUATION.—The Director of the Institute of Education Sciences (or a comparable, independent research organization) shall conduct an evaluation of the program under this part after year 3 and 5 of the program and every 2 years thereafter.

''(i) RULE OF CONSTRUCTION AND PROHIBITIONS.—

''(1) RULE OF CONSTRUCTION REGARDING EMPLOYMENT.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

''(2) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this part shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes the terms governing innovation schools served under this part.

''(j) DURATION OF FLEXIBILITY DEMONSTRATION AUTHORITY AND AGREEMENTS.—

''(1) FLEXIBILITY DEMONSTRATION AUTHORITY.—Flexibility demonstration authority under this part shall be awarded for a period that shall not exceed 5 fiscal years, and may be renewed by the Secretary for 1 additional 2-year period.

''(2) LOCAL FLEXIBILITY AGREEMENTS.—Local flexibility agreements awarded by an eligible State educational agency under this part shall be for a period of not more than 5 years.''.

SA 2186. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. PROMISE NEIGHBORHOODS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART J—PROMISE NEIGHBORHOODS

''SEC. 5910. SHORT TITLE.

''This part may be cited as the 'Promise Neighborhoods Act of 2015'.

''SEC. 5911. PURPOSE.

''The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities, including ensuring school readiness, high school graduation, and college and career readiness for such children, and access to a community-based continuum of high-quality services.

''SEC. 5912. PIPELINE SERVICES DEFINED.

''In this part, the term 'pipeline services' means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

''(1) High-quality early learning opportunities.

''(2) High-quality schools and out-of-school-time programs and strategies.

''(3) Support for a child's transition to elementary school, support for a child's transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce, including any comprehensive readiness assessment as deemed necessary.

''(4) Family and community engagement.

''(5) Family and student supports, which may be provided within the school building.

''(6) Activities that support college and career readiness.

''(7) Community-based support for students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

''SEC. 5913. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services that meet the purpose of this part by carrying out the activities in neighborhoods with high concentrations of low-income individuals and multiple signs of distress, which may include poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration, and persistently low-achieving schools or schools with an achievement gap.

''(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

''(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years, and may be renewed for an additional period of not more than 5 years

''(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b), after the third year of the grant period shall be contingent on the eligible entity's progress toward meeting the performance metrics described in section 5918(a).

''(d) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

''(2) PRIVATE SOURCES.—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind donations.

''(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

''(e) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), including the requirement for funds for private sources for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

''(f) RESERVATION FOR RURAL AREAS.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve not less than 20 percent for eligible entities that propose to carry out the activities described in section 5916 in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

''SEC. 5914. ELIGIBLE ENTITIES.

''In this part, the term 'eligible entity' means—

''(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

''(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

''(3) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

''(A) A high-need local educational agency.

''(B) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

''(C) The office of a chief elected official of a unit of local government.

''(D) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''SEC. 5915. APPLICATION REQUIREMENTS.

''(a) IN GENERAL.—An eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

''(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4), and supported by evidence-based practices.

''(2) A description of the neighborhood that the eligible entity will serve.

''(3) Measurable annual goals for the outcomes of the grant, including performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant.

''(4) An analysis of the needs and assets, including size and scope of population affected of the neighborhood identified in paragraph (1), including—

''(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

''(B) an analysis of community assets and collaborative efforts, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum, early learning, family and student supports, local businesses, and institutions of higher education;

''(C) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

''(D) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

''(5) A description of all data that the entity used to identify the pipeline services to be provided and how the eligible entity will collect data on children served by each pipeline service and increase the percentage of children served over time.

''(6) A description of the process used to develop the application, including the involvement of family and community members.

''(7) A description of how the pipeline services will facilitate the coordination of the following activities:

''(A) Providing high-quality early learning opportunities for children, including by providing opportunities for families and expectant parents to acquire the skills to promote early learning and child development, and ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities and developmental delays, consistent with the Individuals with Disabilities Education Act, where applicable.

''(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive evidence-based education reforms, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for college admissions and success.

''(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

''(D) Providing social, health, nutrition, and mental health services and supports, including referrals for essential healthcare and preventative screenings, for children, family, and community members, which may include services provided within the school building.

''(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to college courses for and college enrollment aide or guidance, and other supports for at-risk youth.

''(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

''(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part, and the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development, providing services for students, families, and communities within the school building, and collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

''(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

''(11) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

''(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

''(1) each partner's financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

''(2) each partner's long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

''(3) each partner's mission and the plan that will govern the work that the partners do together;

''(4) each partner's long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

''(5) each partner's commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

''SEC. 5916. USE OF FUNDS.

''(a) IN GENERAL.—Each eligible entity that receives a grant under this part shall use the grant funds to—

''(1) support planning activities to develop and implement pipeline services;

''(2) implement the pipeline services, as described in the application under section 5915; and

''(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

''(b) SPECIAL RULES.—

''(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

''(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

''(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

''(A) Assessments that provide rewards or sanctions for individual children or teachers.

''(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

''(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

''SEC. 5917. REPORT AND PUBLICLY AVAILABLE DATA.

''(a) REPORT.—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include—

''(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

''(2) information relating to the performance metrics described in section 5918(a); and

''(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

''SEC. 5918. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

''(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this part shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall address the entity's progress toward meeting the goals of this part to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decision making and access to a community-based continuum of high-quality services, beginning at birth.

''(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

''SEC. 5919. NATIONAL ACTIVITIES.

''From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include research, technical assistance, professional development, dissemination of best practices, and other activities consistent with the purposes of this part.

''SEC. 5920. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2187. Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 75, line 18, insert ''disability category as described in subparagraphs (A)(i) and (if applicable for the State) (B)(i) of section 602(3) of the Individuals with Disabilities Education Act,'' after ''homeless status,''.

SA 2188. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 12 and 13, insert the following:

''(M) how the State will ensure the unique needs of students at all levels of schooling are met, particularly students in the middle grades and high school, including how the State will work with local educational agencies to—

''(i) assist in the identification of middle grades and high school students who are at-risk of dropping out, such as through the continuous use of student data related to measures such as attendance, student suspensions, course performance, and, postsecondary credit accumulation that results in actionable steps to inform and differentiate instruction and support;

''(ii) ensure effective student transitions from elementary school to middle grades and

middle grades to high school, such as by aligning curriculum and supports or implementing personal academic plans to enable such students to stay on the path to graduation;

''(iii) ensure effective student transitions from high school to postsecondary education, such as through the establishment of partnerships between local educational agencies and institutions of higher education and providing students with choices for pathways to postsecondary education, which may include the integration of rigorous academics, career and technical education, and work-based learning;

''(iv) provide professional development to teachers, principals, other school leaders, and other school personnel in addressing the academic and developmental needs of such students; and

''(v) implement any other evidence-based strategies or activities that the State determines appropriate for addressing the unique needs of such students;

On page 69, line 13, strike ''(M)'' and insert ''(N)''.

On page 69, line 17, strike ''(N)'' and insert ''(O)''.

On page 772, between lines 14 and 15, insert the following:

''(47) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.''.

At the end of the bill, add the following:

SEC. 1020__. REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(c)(1)(M) on reducing the number and percentage of students who drop out of school.

SA 2189. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. IMPROVING SECONDARY SCHOOLS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART J—IMPROVING SECONDARY SCHOOLS

''SEC. 5910. PURPOSES.

''The purposes of this part are to increase the number and percentage of students who—

''(1) successfully matriculate from middle school to high school;

''(2) graduate from high school college- and career-ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

''(3) earn college-level credit and postsecondary credentials, including industry-based credentials, such as through early college and dual enrollment while in high school;

''(4) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and real world workplace experiences; and

''(5) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics, particularly for student groups historically underrepresented in these fields.

''SEC. 5911. DEFINITIONS.

''In this part:

''(1) APPLIED LEARNING.—The term 'applied learning' means a strategy that engages students in opportunities to apply rigorous academic content aligned with college-level expectations to real world experience, through such means as project-based, work-based, or service-based learning, and develops students' cognitive competencies and pertinent employability skills.

''(2) ATTRITION.—The term 'attrition' means the reduction in a school's student population as a result of transfers or dropouts and includes students who have been enrolled for a minimum of 3 weeks within the academic year.

''(3) CHRONICALLY ABSENT.—The term 'chronically absent', when used with respect to a student—

''(A) means a student who misses not less than 10 percent of the school days at a school; and

''(B) does not include any school days a student misses due to an in-school or out-of-school suspension, or for which a student was not enrolled at such school.

''(4) COMPETENCY-BASED LEARNING MODEL.—

''(A) IN GENERAL.—The term 'competency-based learning model' means an education model in which students advance academically based upon multiple demonstrations of competence in defined content-specific concepts and higher order skills, such as critical thinking and problem solving.

''(B) REQUIREMENTS.—In a competency-based learning model the following applies:

''(i) Competencies include explicit, measurable, and transferable learning objectives.

''(ii) Assessment is used to identify gaps in a student's knowledge and to provide frequent and meaningful feedback on the student's progression toward filling such gaps and moving on to higher levels of knowledge.

''(iii) Each student receives timely, differentiated support based on the student's individual learning needs.

''(iv) Student agency is emphasized through transparency of goals and gaps in knowledge, and multiple means to close those gaps.

''(5) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency or a consortium of local educational agencies—

''(A) in partnership with—

''(i) 1 or more institutions of higher education; and

''(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

''(B) that may include 1 or more external partners, such as a qualified intermediary.

''(6) ELIGIBLE HIGH SCHOOL.—The term 'eligible high school' means a high school that—

''(A) does not receive funding under section 1114(c);

''(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

''(7) ELIGIBLE MIDDLE SCHOOL.—The term 'eligible middle school' means a middle school—

''(A) that does not receive funding under section 1114(c);

''(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) from which a significant number or percentage of students go on to attend an eligible high school.

''(8) INDUSTRY-BASED CREDENTIAL.—The term 'industry-based credential' has the meaning given the term 'recognized postsecondary credential' in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(9) PERSONALIZED LEARNING.—The term 'personalized learning' means a learning environment that addresses students' academic and non-academic needs and provides students with an individualized sequence of academic content, skill development, support services, and ensures that each student has an advisor designed to enable the student to achieve the student's individual learning goals and ensure the student graduates on time and ready for college and a career by having developed skills and competencies, including the ability to think critically, solve complex or non-routine problems, evaluate arguments on the basis of evidence, and communicate effectively.

''(10) QUALIFIED INTERMEDIARY.—The term 'qualified intermediary' means an entity that has—

''(A) a demonstrated record of working on grant-related middle school and high school redesign activities; and

''(B) expertise in building and sustaining partnerships with entities such as employers, schools, community-based organizations, institutions of higher education, social service organizations, economic development organizations, and workforce systems to broker services, resources, and supports to youth and the organizations and systems that are designed to serve youth (including connecting employers to classrooms, designing and implementing contextualized pathways to postsecondary education and careers, developing integrated curricula, delivering professional development, and connecting students to internships and other work-based learning opportunities).

''(11) STUDENT-CENTERED LEARNING APPROACHES.—The term 'student-centered learning approaches' means instruction and curriculum that—

''(A) are—

''(i) based on personalized learning; and

''(ii) mastery oriented or based on competency-based learning models;

''(B) enable students to have supports to take increased responsibility over their education and develop self-regulation skills; and

''(C) are designed to foster the skills and dispositions students need to succeed in college, career, and citizenship, and the competencies described under paragraph (4).

''(12) TRANSFER RATE.—The term 'transfer rate' means the rate at which students transfer from one high school to another high school, or from one high school to another education setting, for a reason other than due to a change in primary residence, as verified through written documentation by the local educational agency serving the student at the time of the transfer.

''SEC. 5912. GRANTS AUTHORIZED.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary shall make grants to State educational agencies with approved State plans to achieve the purposes of this part.

''(2) COMPETITIVE BASIS.—For any fiscal year for which the amount appropriated under section 5916 is less than $300,000,000, the Secretary shall award grants to State educational agencies under paragraph (1) on a competitive basis.

''(3) FORMULA BASIS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than $300,000,000, the Secretary shall award grants

to State educational agencies from allotments made under subsection (b).

''(b) DETERMINATION OF ALLOTMENTS.—

''(1) RESERVATION OF FUNDS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than $300,000,000, the Secretary shall reserve, from the total amount appropriated under section 5916 for the fiscal year—

''(A) one half of 1 percent, which shall be awarded, on a competitive basis, by the Bureau of Indian Education for activities consistent with the purposes of this part; and

''(B) not more than 2.5 percent for national activities, including evaluation, dissemination of best practices, and technical assistance.

''(2) STATE ALLOTMENT.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than $300,000,000, the Secretary shall allot to each State the sum of, from the total amount appropriated under section 5916 for a fiscal year and not reserved under paragraph (1)—

''(A) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in which at least 50 percent of enrolled students are student from low-income families, as determined by the local educational agency pursuant to section 1113, in the State bears to the total of such percentages for all the States; and

''(B) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in the State bears to the total of such percentages for all the States.

''(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of the allotment to the remaining States in accordance with this subsection.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—A State educational agency awarded a grant under this section shall use not less than 95 percent of the grant funds to award subgrants to eligible entities under section 5914.

''(2) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the grant funds for evaluation and capacity building activities, including training, technical assistance, professional development, and administrative costs of carrying out responsibilities under this part.

''SEC. 5913. STATE APPLICATION.

''(a) IN GENERAL.—In order to receive a grant for any fiscal year, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of how the State educational agency will utilize funds reserved under section 5912(c)(2) for State activities.

''(2) A description of the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis.

''(3) An assurance that subgrants awarded to eligible entities under section 5914 will be for a period of 5 years, conditional after 3 years on satisfactory progress on the leading performance indicators described in section 5914(b)(2)(G)(i), and renewable for 3 additional 1-year periods, based on satisfactory progress on the core indicators in section 5914(b)(2)(G)(ii).

''(4) An assurance that the State educational agency will allow eligible entities to utilize funds awarded under section 5914 for planning purposes for not more than 1 year after receiving a subgrant, and withhold subsequent allocations of subgrant funds if the State educational agency determines an eligible plan to be insufficient to effectively achieve the purpose of this part.

''(5) An assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs.

''(6) A description of how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, including how performance on leading performance indicators described in section 5914(b)(2)(G)(i) and core indicators in section 5914(b)(2)(G)(ii) will be incorporated into the evaluation.

''(7) An articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires credit earned as a result of the successful completion of a dual enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

''(8) A description of the policies and strategies that will be implemented to improve school climate.

''(c) APPROVAL; DISAPPROVAL; NOTIFICATION; RESPONSE; FAILURE TO RESPOND.—The provisions of approval, disapproval, notification, response, and failure to respond applicable to State applications under subsections (b), (c), (d), (e), and (f) of section 4203 shall apply in the same manner to State applications submitted under this section.

''SEC. 5914. SUBGRANTS TO ELIGIBLE ENTITIES.

''(a) IN GENERAL.—A State that receives a grant under this part shall use the portion of the grant funds described under section 5912(c)(1) to award subgrants to eligible entities.

''(b) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include, at a minimum, the following:

''(A) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible to all students.

''(B) A description of the responsibilities to be carried out by each member of the eligible entity and additional external partners or qualified intermediaries.

''(C) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

''(D) A description of the comprehensive needs assessment and capacity analysis of the eligible entity, eligible middle schools, and eligible high schools that will be served under the subgrant.

''(E) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-related learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

''(F) A plan to address the needs of students with disabilities, English language learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

''(G) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

''(i) leading indicators, which may include—

''(I) annual, average attendance rates and the number and percentage of students who are chronically absent;

''(II) rates, including disproportionality, of expulsions, suspensions, school violence, harassment, and bullying (as defined under State or local laws or policies); and

''(III) annual student mobility rates, transfer rates, and attrition rates;

''(ii) core indicators, which may include—

''(I) graduation rates;

''(II) dropout recovery (re-entry) rates;

''(III) percentage of students who have on-time credit accumulation at the end of each grade, and whom are on track to graduate within 4 years, and the percentage of students failing a core subject course;

''(IV) percentage of students who successfully transitioned from 8th to 9th grade; and

''(V) student achievement data, including the percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2); and

''(iii) indicators of postsecondary education readiness, which may include—

''(I) percentage of students successfully completing rigorous postsecondary education courses while attending a secondary school, such as Advanced Placement or International Baccalaureate courses;

''(II) percentage of students who have on-time credit accumulation at the end of each grade or who have earned postsecondary education credit;

''(III) rates of workplace experience and other indicators of the acquisition of employability skills, including the number and percentage of students earning a recognized postsecondary credential, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

''(IV) the number and percentage of students completing a registered apprenticeship program (as defined in section 171(b) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226)).

''(c) REQUIRED USES OF FUNDS.—

''(1) DISTRICTWIDE REQUIRED USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use not less than 15 percent of the subgrant funds to—

''(A) implement an early warning indicator system in eligible middle schools and eligible high schools to identify struggling students and create a system of timely and effective evidence-based and linguistically and culturally relevant interventions, by—

''(i) identifying and analyzing the academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

''(ii) identifying specific indicators of student progress and performance to determine whether students are on track to graduate secondary school in 4 years and to guide decision making, such as academic performance in core courses, postsecondary education credit accumulation, and attendance, including the percentage of students who are chronically absent;

''(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

''(iv) identifying and implementing strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports which may include partnerships with other external partners;

''(B) provide support and credit recovery opportunities for students with disabilities, English learners, and students who are overaged and under-credited, at secondary schools served by the eligible entity or other appropriate settings by offering activities;

''(C) provide dropout recovery or re-entry programs that are designed to encourage and support dropouts returning to an educational system, program, or institution following an extended absence in order to graduate college- and career-ready;

''(D) provide evidence-based middle school to high school transition programs and supports, including through curricula alignment and early high school programs that allow students to earn high school credit in middle school;

''(E) strengthen student transitions between schools by implementing a transition strategy based on data collection that monitors the transition between middle school and high school, and high school and postsecondary transitions, and encourages collaboration among elementary school, middle school, and high school grades; and

''(F) provide teachers, principals, other school leaders, non-instructional staff, students, and families with high-quality, easily accessible, and timely information, beginning in middle school, about—

''(i) secondary school graduation requirements;

''(ii) postsecondary education application processes;

''(iii) postsecondary education admissions processes and requirements, including requirements for pursuing postsecondary degrees in STEM-related subjects, including computer science;

''(iv) public financial aid and other available private scholarship and grant aid opportunities;

''(v) regional and national labor market information, including information about national and local STEM-related career opportunities, including in computer science; and

''(vi) other programs and services for increasing rates of college access and success for students from low-income families.

''(2) REQUIRED USE OF FUNDS IN ELIGIBLE MIDDLE SCHOOLS AND ELIGIBLE HIGH SCHOOLS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds in eligible middle schools and eligible high schools to implement a comprehensive approach that will improve academic achievement and increase on-time grade and graduation completion by—

''(A) using early warning indicator and intervention systems described in paragraph (1)(A);

''(B) providing personalized learning and applied learning opportunities;

''(C) implementing organizational practices and school schedules that allow for collaborative teacher, principal, and other school leader participation, team teaching, and common instructional planning time, including across middle school and high school grades to facilitate effective teaching and learning and positive teacher-student interactions;

''(D) increasing the number of teachers certified in the subject area they are assigned to teach;

''(E) providing teachers, principals, and other school leaders with ongoing high-quality professional development, including through the use of professional learning communities and joint training for secondary teachers and postsecondary educators, coaching, and mentoring, that prepares teachers, principals, and other school leaders to—

''(i) address the academic challenges of students;

''(ii) understand the developmental needs of students and how to address those needs in an educational setting;

''(iii) implement data-driven interventions; and

''(iv) provide academic guidance to students in student-to-staff ratios that allows students to make informed decisions about academic options, including financial aid counseling for postsecondary education, so that students can graduate college and career ready; and

''(F) improving access to rigorous courses by—

''(i) in the case of an eligible middle school, providing all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science; and

''(ii) in the case of an eligible high school, providing all students pathways to earn at least 12 postsecondary education credits while in high school;

''(G) promoting the continuous use of student data that results in actionable steps to inform and differentiate instruction and support, including the use of timely data reports that measures attendance, course performance, postsecondary education credit accumulation, and other on-track indicators for all students;

''(H) providing ongoing mechanisms for strengthening family and community engagement;

''(I) providing college and career pathways through such activities as—

''(i) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school students in high-skill, high-demand industries in collaboration with local and regional employers including in STEM-related subject areas, such as computer science, and work-based learning experiences;

''(ii) in the case of eligible high schools, providing dual enrollment, early college, or accelerated learning courses and postsecondary education credit-bearing advanced coursework opportunities, including opportunities to earn industry-based credentials or other recognized postsecondary education credentials, including opportunities for secondary school students who over-age or under-credited and those who have dropped out of school; or

''(iii) designing curricula and sequences of courses, including in STEM-related subjects such as computer science, in collaboration with teachers from the eligible high school and faculty from the partner institution of higher education so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

''(J) strengthening the transition between middle school and high school and high school and postsecondary education through such activities as—

''(i) providing academic and career counseling, such as through low student-to-counselor ratios, that allow students to make informed decisions about academic and career options, including the use of current labor-market information for students, families, teachers, principals, and other school leaders;

''(ii) providing high-quality, age appropriate, college and career exploration opportunities, including college campus visits, work-related learning opportunities, particularly in high demand regional industry areas; and

''(iii) providing academic and support services;

''(K) making more strategic use of learning time, which may include the effective application of technology and redesigning or extending school calendars, flexible scheduling, implementation of competency-based learning models, and time for educators to carry out systemic reform, including the activities described under this part; and

''(L) providing integrated services to address the social, emotional, health, and behavioral needs of students.

''(d) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

''SEC. 5915. REPORTS.

''Each eligible entity receiving a subgrant under this part shall collect and report annually to the public and the State educational agency, and the State educational agency shall annually report to the Secretary, such information on the results of the activities assisted under the subgrant as the Secretary may reasonably require, including performance on the indicators described in section 5914(b)(2)(I) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

''SEC. 5916. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2190. Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

''PART J—IMPROVING SECONDARY SCHOOLS

''SEC. 5910. PURPOSES.

''The purposes of this part are to support student dropout prevention, intervention, and recovery and increase the number and percentage of students who—

''(1) successfully matriculate from middle school to high school;

''(2) graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

''(3) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and workplace experiences, and earn college credit and postsecondary credentials, including industry-based credentials, such as through early college high school courses and dual or concurrent enrollment while in high school; and

''(4) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics (referred to in this part as 'STEM'), particularly for student groups historically underrepresented in these fields.

"SEC. 5911. DEFINITIONS.

''In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or local educational agency or a consortium of local educational agencies—

''(A) in partnership with—

''(i) 1 or more institutions of higher education; and

''(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

''(B) that may include 1 or more external partners, such as a qualified intermediary.

''(2) ELIGIBLE HIGH SCHOOL.—The term 'eligible high school' means a high school that—

''(A) does not receive funding under section 1114(c);

''(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

''(3) ELIGIBLE MIDDLE SCHOOL.—The term 'eligible middle school' means a middle school—

''(A) that does not receive funding under section 1114(c);

''(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

''(C) from which a significant number or percentage of students go on to attend an eligible high school.

"SEC. 5912. GRANTS AUTHORIZED.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to geographically and regionally diverse, including rural and remote areas, eligible entities to achieve the purposes of this part.

''(b) GRANT DURATION.—Grants awarded under this part shall be for a period of 5 years, including 1 year which may be used for planning purposes, and may be renewable based on performance on indicators described in section 5913(b)(5).

"SEC. 5913. APPLICATIONS.

''(a) IN GENERAL.—In order to receive a grant for any fiscal year, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible and developmentally appropriate to all students.

''(2) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

''(3) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-based learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

''(4) A plan to address the needs of students with disabilities, English language learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

''(5) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

''(A) the number and percentage of students who successfully transitioned from 8th to 9th grade;

''(B) student achievement data, including the number and percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2);

''(C) the number and percentage of students earning credit toward a postsecondary education credential, an industry-based credential, or a postsecondary credential; and

''(D) the number and percentage of students who are on-track to graduate high school, high school graduation rates, and dropout recovery (re-entry) rates.

''(6) A description of the articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires postsecondary credit earned as a result of the successful completion of a dual or concurrent enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

''(c) REQUIRED USES OF FUNDS.—An eligible entity that receives a grant under this section shall use funds to—

''(1) provide college and career pathways through such activities as—

''(A) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school, including in STEM-related subject areas, including computer science;

''(B) in the case of eligible high schools, providing dual or concurrent enrollment courses, early college high school courses, or accelerated learning courses and other opportunities to earn transferable postsecondary education credit and industry-based credentials; and

''(C) designing curricula and sequences of courses so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

''(2) implement an early warning indicator system in eligible middle schools and eligible high schools to promote the continuous use of student data that results in actionable steps to inform and differentiate instruction and support and improve school climate, which may include the use of timely data reports that measures attendance, course performance, disciplinary actions, secondary and postsecondary education credit accumulation, and other on-track indicators for all students;

''(3) in the case of an eligible middle school, provide all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science;

''(4) provide credit recovery and dropout recovery programs;

''(5) provide evidence-based middle school to high school, and high school to postsecondary education, transition programs and supports; and

''(6) provide teachers, principals, and other school leaders with ongoing high-quality professional development to support the activities described under this subsection.

''(d) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

"SEC. 5914. REPORTS.

''Each eligible entity receiving a grant under this part shall collect and report annually to the public and the Secretary such information on the results of the activities assisted under the grant as the Secretary may reasonably require, including performance on the indicators described in section 5913(b)(5) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

"SEC. 5915. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2191. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

''(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

''(i) evaluates supports for teachers, leaders, and other school personnel, such as—

''(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

''(II) timely availability of data on student academic achievement and growth;

''(III) the presence of high-quality instructional leadership; and

''(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

''(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

''(I) school climate;

''(II) school safety;

''(III) class size;

''(IV) availability and use of common planning time and opportunities to collaborate; and

''(V) community engagement;

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

''(iv) includes the development and implementation of a plan with the groups described in clause (iii), that shall be publicly reported and shall include, at a minimum, annual benchmarks to address the results of the assessment described in this subparagraph; and

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SA 2192. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every

child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 1020___. PROHIBITION ON MARKETING OF ELECTRONIC CIGARETTES TO CHILDREN.

(a) ELECTRONIC CIGARETTE DEFINED.—

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term ''electronic cigarette'' means any electronic device that delivers nicotine, flavor, or other chemicals via a vaporized solution to the user inhaling from the device, including any component, liquid, part, or accessory of such a device, whether or not sold separately.

(2) EXCEPTION.—In this section, the term ''electronic cigarette'' shall not include any product that—

(A) has been approved by the Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes; and

(B) is marketed and sold solely for a purpose approved as described in subparagraph (A).

(b) PROHIBITION.—

(1) IN GENERAL.—No person may advertise, promote, or market in commerce in a State described in paragraph (2) an electronic cigarette in a manner that—

(A) the person knows or should know is likely to contribute towards initiating or increasing the use of electronic cigarettes by children who are younger than 18 years of age; or

(B) the Federal Trade Commission determines, regardless of when or where the advertising, promotion, or marketing occurs, affects or appeals to children described in subparagraph (A).

(2) COVERED STATES.—A State described in this paragraph is a State in which the sale of an electronic cigarette to a child who is younger than 18 years of age is prohibited by a provision of Federal or State law.

(c) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A violation of subsection (b)(1) shall be treated as a violation of a rule defining an unfair or deceptive act or practice described under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) RULEMAKING.—The Federal Trade Commission shall promulgate standards and rules to carry out this section in accordance with section 553 of title 5, United States Code.

(d) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (b)(1) in a practice that violates such subsection, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such subsection by such person;

(B) to compel compliance with such subsection;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) CALCULATION.—For purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person who violates subsection (b)(1), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with subsection (b)(1) by an amount not greater than $16,000.

(B) ADJUSTMENT FOR INFLATION.—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraph (A) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) not later than 10 days before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (b)(1), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) CONSTRUCTION.—Nothing in this section shall be construed to limit or diminish the authority of the Food and Drug Administration to regulate the marketing of electronic cigarettes, including the marketing of electronic cigarettes to children.

(f) RELATION TO STATE LAW.—This section shall not be construed as superseding, altering, or affecting any provision of law of a State, except to the extent that such provision of law is inconsistent with the provisions of this section, and then only to the extent of the inconsistency.

SA 2193. Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 783, between lines 11 and 12, insert the following:

(2) in section 9572 (as redesignated by section 4001(5)), by adding at the end the following:

''(6) SMOKING.—The term 'smoking' means the use of any tobacco or tobacco-derived product, including an electronic cigarette.''.

SA 2194. Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 110, strike lines 7 through 17 and insert the following:

''(1) INFORMATION FOR PARENTS .—

''(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year, in addition to information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

SA 2195. Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 132, line 1, insert ''school-based mental health programs,'' after ''counseling,''.

SA 2196. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 10202. SOS CAMPUS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Survivor Outreach and Support Campus Act'' or the ''SOS Campus Act''.

(b) INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.—Part B of title I of the Higher Education Act of 1965 (20 U.S.C. 1011 et seq.) is amended by adding at the end the following:

''SEC. 124. INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.

''(a) ADVOCATE.—

''(1) IN GENERAL.—

''(A) DESIGNATION.—Each institution of higher education that receives Federal financial assistance under title IV shall designate an independent advocate for campus sexual assault prevention and response (referred to in this section as the 'Advocate') who shall be appointed based on experience and a demonstrated ability of the individual to effectively provide sexual assault victim services.

''(B) NOTIFICATION OF EXISTENCE OF AND INFORMATION FOR THE ADVOCATE.—Each employee of an institution described in subparagraph (A) who receives a report of sexual assault shall notify the victim of the existence of, contact information for, and services provided by the Advocate of the institution.

''(C) APPOINTMENT.—Not later than 180 days after the date of enactment of the Survivor Outreach and Support Campus Act, the Secretary shall prescribe regulations for institutions to follow in appointing Advocates under this section. At a minimum, each Advocate shall—

''(i) report to an individual outside the body responsible for investigating and adjudicating sexual assault complaints at the institution; and

''(ii) submit to such individual an annual report summarizing how the resources supplied to the advocate were used, including the number of male and female sexual assault victims assisted.

''(2) ROLE OF THE ADVOCATE.—In carrying out the responsibilities described in this section, the Advocate shall represent the interests of the student victim even when in conflict with the interests of the institution. The Advocate may not be disciplined, penalized, or otherwise retaliated against by the institution for representing the interest of the victim, in the event of a conflict of interest with the institution.

''(b) SEXUAL ASSAULT.—In this section, the term 'sexual assault' means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including when the victim is incapable of giving consent.

''(c) RESPONSIBILITIES OF THE ADVOCATE.—Each Advocate shall carry out the following, regardless of whether the victim wishes the victim's report to remain confidential:

''(1)(A) Ensure that victims of sexual assault at the institution receive, with the victim's consent, the following sexual assault victim's assistance services available 24 hours a day:

''(i) Information on how to report a campus sexual assault to law enforcement.

''(ii) Emergency medical care, including follow up medical care as requested.

''(iii) Medical forensic or evidentiary examinations.

''(B) Ensure that victims of sexual assault at the institution receive, with the victim's consent, the following sexual assault victim's assistance services:

''(i) Crisis intervention counseling and ongoing counseling.

''(ii) Information on the victim's rights and referrals to additional support services.

''(iii) Information on legal services.

''(C) The services described in subparagraphs (A) and (B) may be provided either—

''(i) pursuant to a memorandum of understanding (that includes transportation services), at a rape crisis center, legal organization, or other community-based organization located within a reasonable distance from the institution; or

''(ii) on the campus of the institution in consultation with a rape crisis center, legal organization, or other community-based organization.

''(D) A victim of sexual assault may not be disciplined, penalized, or otherwise retaliated against for reporting such assault to the Advocate.

''(2) Guide victims of sexual assault who request assistance through the reporting, counseling, administrative, medical and health, academic accommodations, or legal processes of the institution or local law enforcement.

''(3) Attend, at the request of the victim of sexual assault, any administrative or institution-based adjudication proceeding related to such assault as an advocate for the victim.

''(4) Maintain the privacy and confidentiality of the victim and any witness of such sexual assault, and shall not notify the institution or any other authority of the identity of the victim or any such witness or the alleged circumstances surrounding the reported sexual assault, unless otherwise required by the applicable laws in the State where such institution is located.

''(5) Conduct a public information campaign to inform the students enrolled at the institution of the existence of, contact information for, and services provided by the Advocate, including—

''(A) posting information—

''(i) on the website of the institution;

''(ii) in student orientation materials; and

''(iii) on posters displayed in dormitories, cafeterias, sports arenas, locker rooms, entertainment facilities, and classrooms; and

''(B) training coaches, faculty, school administrators, resident advisors, and other staff to provide information on the existence of, contact information for, and services provided by the Advocate.

''(d) CLERY ACT AND TITLE IX.—Nothing in this section shall alter or amend the rights, duties, and responsibilities under section 485(f) or title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (also known as the Patsy Takemoto Mink Equal Opportunity in Education Act).''.

SA 2197. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10202. REPORT ON CYBERSECURITY EDUCATION.

(a) IN GENERAL.—Not later than June 1, 2016, the Secretary of Education shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education curricula are meeting the need of public and private sectors for cyberdefense. Such report shall include—

(1) an assessment of learning outcomes required for future cybersecurity professionals;

(2) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

(3) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals;

(4) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education; and

(5) an assessment of which additional resources the Secretary, State educational agencies, and local educational agencies may need to meet the recommendations described in paragraph (4).

(b) DEFINITIONS.—In this section, the terms ''elementary school'', ''local educational agency'', ''secondary school'', and ''State educational agency'' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SA 2198. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 64, strike lines 1 through 14.

On page 126, strike lines 8 through 11.

On page 134, strike lines 10 through 15.

On page 137, strike lines 3 through 7.

Beginning on page 181, strike line 19 and all that follows through line 6 on page 183.

On page 292, lines 16 and 17, strike '', early childhood directors''.

On page 293, lines 8 and 9, strike '', children who are in early childhood education programs''.

On page 346, line 18, strike ''early education'' and insert ''kindergarten''.

On page 346, lines 21 and 22, strike ''State-designated early childhood education programs and''.

Beginning on page 349, strike line 21 and all that follows through line 2 on page 350.

On page 350, lines 5 and 6, strike '', or a State-designated early childhood education program''.

On page 350, lines 10 and 11, strike ''(which may include State-designated early childhood education programs)''.

On page 352, line 17, strike ''early childhood education'' and insert ''kindergarten''.

Beginning on page 353, strike ''The State'' on line 23 and all that follows through line 5 on page 354.

On page 357, lines 14 and 15, strike ''early education'' and insert ''kindergarten''.

Beginning on page 358, strike line 7 and all that follows through line 4 on page 361.

On page 363, line 6, strike ''early childhood education and''.

On page 364, lines 16 and 17, strike ''early childhood education program staff,''.

On page 388, line 9, strike ''early childhood educators,''.

On page 388, line 16, strike ''early childhood educators,''.

On page 390, lines 22 and 23, strike '', including those in early childhood settings''.

On page 400, lines 2 and 3, strike '', including early childhood education programs''.

On page 405, line 14, strike '', including early childhood educators''.

On page 416, strike lines 14 through 18 and insert the following:

''(6) as appropriate, to coordinate the transition of English learners from early childhood education programs, such as Head Start or State-run preschool programs, to elementary programs;

On page 423, lines 19 and 20, strike '', including children in early childhood education programs''.

On page 443, lines 8 and 9, strike ''early childhood, elementary school,'' and insert ''elementary school''.

On page 448, line 18, strike ''early childhood,''.

On page 495, line 11, strike ''early childhood, elementary school,'' and insert ''elementary school''.

On page 517, strike lines 16 through 19.

On page 519, strike lines 1 through 5.

On page 578, lines 6 and 7, strike ''preschool and''.

On page 579, line 9, strike ''Head Start providers,''.

On page 579, lines 10 and 11, strike '', early childhood development personnel''.

On page 579, line 14, strike ''preschool and''.

On page 580, line 7, strike ''preschool and''.

Beginning on page 609, strike line 22 and all that follows through line 4 on page 610.

Beginning on page 611, strike line 12 and all that follows through line 4 on page 630.

On page 668, strike lines 10 through 11.

On page 676, strike lines 1 through 8.

Beginning on page 706, strike line 3 and all that follows through line 5 on page 707.

On page 760, strike lines 1 through 4.

SA 2199. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, insert the following:

''(V) providing educator training to increase students' entrepreneurship skills; and

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SA 2200. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. _____. ESTABLISHING A SPECIAL COMMITTEE ON CHILDREN.

(a) SPECIAL COMMITTEE ESTABLISHED.—

(1) IN GENERAL.—There is established a special committee of the Senate to be known as the Special Committee on Children (hereinafter in this section referred to as the ''special committee'').

(2) MEMBERS.—The special committee shall consist of 19 members, including a chairman. The members and the chairman of the special committee shall be appointed in the same manner and at the same time as the members and chairman of a standing committee of the Senate.

(b) TREATED AS A STANDING COMMITTEE OF THE SENATE.—For purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, and for purposes of section 202 of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301), the special committee shall be treated as a standing committee of the Senate.

(c) DUTY.—

(1) IN GENERAL.—It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to children and their welfare, including—

(A) programs and services relating to the health, welfare, safety, housing, nutrition, education, economic stability, civil rights needs of children, and Federal programs and services that have a purpose of benefitting children or have the effect of benefitting children; and

(B) the effectiveness of such programs and services.

(2) LIMITATION.—No proposed legislation shall be referred to the special committee, and the special committee shall not have power to report by bill or otherwise have legislative jurisdiction.

(d) REPORT.—The special committee shall, from time to time (but not less than once a year), report to the Senate the results of the study conducted pursuant to subsection (c)(1), together with such recommendations as the special committee considers appropriate.

(e) AUTHORIZED ACTIVITIES.—The special committee, or any duly authorized subcommittee thereof, is authorized, in its discretion to—

(1) make investigations into any matter within its jurisdiction;

(2) make expenditures from the contingent fund of the Senate;

(3) employ personnel;

(4) hold hearings;

(5) sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate;

(6) require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such other expenditures as it deems advisable;

(7) take depositions and other testimony;

(8) procure the service of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(9) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable basis the services of personnel of any such department or agency.

(f) POWER TO ADMINISTER OATHS.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(g) SUBPOENAS.—Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

(h) QUORUM.—A majority of the members of the special committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

(i) ENACTMENT.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such it is deemed a part of the rules of the Senate, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules relating to the procedure of the Senate at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

SA 2201. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 24 and all that follows through page 38, line 4, and insert the following:

''(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

SA 2202. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10204. DEPARTMENT OF EDUCATION SALARY CAP.

Notwithstanding any other provision of law, the average salary of an employee of the Department of Education shall not be higher than the national average salary for a teacher, as determined by data from the National Center for Education Statistics.

SA 2203. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 102____. FINDINGS AND SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds the following:

(1) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016 (S. 1695, 114th Congress) (referred to in this section as

the ''proposed appropriations Act''), as reported out of the Committee on Appropriations of the Senate on June 25, 2015, reduces investments in critical middle-class priorities by $3,575,000,000, compared to the appropriation levels enacted for fiscal year 2015.

(2) The proposed appropriations Act reduces investments in critical middle-class priorities by $13,231,000,000, compared to the Democratic funding alternative that is consistent with pre-sequester funding levels provided in the Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240).

(3) These funding cuts would bring Federal investments in programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to their lowest levels since fiscal year 2002.

(4) Of the lowest-achieving 5 percent of schools that receive funds under part A of title I of such Act (20 U.S.C. 6311 et seq.), about two-thirds of students do not meet grade level standards.

(5) The proposed appropriations Act cuts funding for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) by $850,000,000, compared to the President's fiscal year 2016 budget request and the Democratic funding alternative offered in the Committee on Appropriations of the Senate.

(6) Research consistently shows that high-quality early education is critical to the educational development of every child.

(7) The proposed appropriations Act provides no funding for preschool development grants, a cut of $750,000,000 compared to the President's fiscal year 2016 budget request and the Democratic funding alternative offered in Committee.

(8) The education funding cuts in the proposed appropriations Act are largely the result of the artificial and arbitrary spending caps triggered by the lack of a bipartisan budget agreement as envisioned by the Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240).

(9) Congress has previously provided relief from these cuts in the form of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1165), which provided relief from sequestration equally for defense and nondefense investments for fiscal years 2014 and 2015.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the fiscal and economic challenges of the United States are a top priority for Congress, and the deep, automatic budget cuts of sequestration remains an unreasonable and inadequate budgeting tool either to address the deficits and debt of the Nation or provide the resources needed to educate our children and grow the economy;

(2) this Act was supported unanimously in Committee;

(3) fulfilling the promise of this Act will require Congress to provide funding at levels above sequestration;

(4) Congress should immediately begin negotiations on a successor to the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1165) that provides equal relief from sequestration for defense and nondefense investments, including education, for fiscal year 2016 and beyond; and

(5) for fiscal year 2016, Congress should provide $18,554,875,000 for key programs under the Elementary and Secondary Education Act of 1965 and other education programs, as amended by this Act and consistent with the pre-sequester funding levels called for by the bipartisan Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240), including—

(A) programs under part A of title I of the Elementary and Secondary Education Act of 1965;

(B) the striving readers comprehensive literacy program under part E of title I of such Act, as such Act was in effect on the day before the date of enactment of this Act, or its successor;

(C) the 21st century community learning centers program under part B of title IV of the Elementary and Secondary Education Act of 1965;

(D) English language acquisition grants under title III of such Act;

(E) preschool development grants under title XIV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 112–10); and

(F) investing in innovation grants under such title.

SA 2204. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 63, line 3, insert '', including plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement'' after ''programs''.

On page 80, between lines 2 and 3, insert the following:

''(xviii) If the State uses funds under this part for preschool services, information that shows how children younger than the mandatory age of school entry are served directly by a local educational agency, or through contract or other collaboration with early childhood programs, including early childhood home visitation programs, as described under section 511 of the Social Security Act (42 U.S.C. 711), including—

''(I) the number of children served, disaggregated by income, race, and disability status;

''(II) a description of the services received; and

''(III) the amount the State spent using grant funds under this part on services for such children.

On page 80, line 3, strike ''(xviii)'' and insert ''(xix)''.

On page 265, between lines 17 and 18, insert the following:

''(xiv) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood center directors, and other early childhood providers to participate in efforts to align State early learning guidelines with State academic and other standards, curriculum, and assessment practices from prekindergarten to the third grade and promote quality early learning experiences from birth through age 8.

On 265, line 18, strike ''(xiv)'' and insert ''(xv)''.

Beginning on page 283, strike line 22 and all that follows through page 284, line 3, and insert the following: ''leadership competencies of principals on instruction in the early grades, developmentally appropriate strategies to measure whether young children are progressing, and principals' ability to support teachers, teacher leaders, early childhood educators, and other professionals in the school learning community to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school, and promoting effective prekindergarten through grade 3 alignment;''.

SA 2205. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 274, between lines 21 and 22, insert the following:

''(xi) increasing and improving opportunities for teachers to take on meaningful leadership roles and responsibilities for additional compensation without having to leave their role as teacher; and

On page 277, between lines 6 and 7, insert the following:

''(F) a description of how the local educational agency will increase and improve opportunities for meaningful teacher leadership in order to positively impact student achievement, build the capacity of teachers, and effectively negotiate or collaborate with principals, teachers and representatives of teachers, and local educational agency leaders.

On page 285, after line 25, insert the following:

''(O) providing additional compensation for teachers or making other systemic changes to create or enhance opportunities for meaningful teacher leadership, such as initiatives that include—

''(i) increased time for common planning, within and across content areas and grade levels;

''(ii) designated time for effective teachers to—

''(I) receive training on mentoring; and

''(II) plan and execute mentoring activities;

''(iii) career ladders and lattices, providing for additional pay for professional growth, which may include hybrid roles in which teachers lead from the classroom;

''(iv) teacher-designed and teacher-implemented professional development activities;

''(v) opportunities for experiential and professional learning, which may include observation;

''(vi) feedback mechanisms for continuous improvement of school environment and activities, including school working conditions and the social-emotional well-being of teachers;

''(vii) the development of policy collaboratively by teachers, and the representatives of teachers, and the leaders of the school, local educational agency, community, or State; and

''(viii) other innovative approaches to leverage teacher leadership; and

On page 296, between lines 4 and 5, insert the following:

''(F) training and supporting principals to identify, develop, and maintain school leadership teams, which shall include teacher leaders and others as designated by the principal, using various leadership models, except that such models shall not include forced or involuntary transfers; and

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SA 2206. Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. _____. CERTAIN EDUCATIONAL INSTITUTIONS EXEMPT FROM EMPLOYER HEALTH INSURANCE MANDATE.

(a) EXEMPTION.—

(1) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(F) EXCEPTION FOR CERTAIN EDUCATIONAL INSTITUTIONS.—The term 'applicable large employer' shall not include—

''(i) any elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965),

''(ii) any local educational agency or State educational agency (as such terms are defined in section 9101 of such Act), and

''(iii) any institution of higher education (as such term is defined in section 102 of the Higher Education Act of 1965).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to months beginning after December 31, 2014.

(b) STUDY OF IMPACT ON EDUCATION.—The Secretary of Education shall—

(1) study the impact of the employer health insurance mandate under section 4980H of the Internal Revenue Code of 1986 as in effect on the day before the date of enactment of this Act and the impact of such mandate as in effect on the day after the date of enactment of this Act on—

(A) in coordination with the national assessment of title I under section 1501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491), the ability of State educational agencies, local educational agencies, elementary schools, and secondary schools to meet the purposes of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); and

(B) in coordination with the annual data collection conducted through the Integrated Postsecondary Education Data System described in section 132(i)(4) of the Higher Education Act of 1965 (20 U.S.C. 1015a(i)(4)), the ability of institutions of higher education to maintain academic programs; and

(2) not later than one year after the date of the enactment of this Act, submit separate written reports to Congress with respect to the studies conducted under subparagraphs (A) and (B) of paragraph (1).

SA 2207. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

PART J—PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH

SEC. 5911. PURPOSE; FINDINGS.

(a) PURPOSE.—The purpose of this part is to authorize a performance partnerships pilot program for disconnected youth to promote coordination between Federal agencies in order to improve outcomes for disconnected youth in communities.

(b) FINDINGS.—Congress finds the following:

(1) Recent events in communities across the United States have illustrated, in part, the importance of improving opportunities, outcomes, and services for disconnected populations.

(2) One in 6 youth, nationwide, are not connected to the labor force.

(3) There are 2,500,000 children being raised by parents who were disconnected youth themselves.

(4) The United States has a responsibility to improve outcomes for disconnected youth by investing in innovative strategies to address the needs of disconnected populations.

(5) The Committee on Appropriations of the Senate has recognized the value in investing in such partnerships and has supported Performance Partnership Pilots for Disconnected Youth in recent appropriations bills for the Departments of Health, Human Services, and Education, and related agencies.

SEC. 5912. PERFORMANCE PARTNERSHIPS PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) DISCONNECTED YOUTH.—The term ''disconnected youth'' means an individual who—

(A) is between the ages 14 to 24, inclusive; and

(B)(i) is homeless, in foster care, or involved with the criminal justice system; or

(ii) is not working and not enrolled in an elementary school, secondary school, institution of higher education, or other educational institution.

(2) PARTICIPATING FEDERAL AGENCY.—The term ''participating Federal agency'' means the Department of Education, the Department of Health and Human Services, the Department of Labor, and the Corporation for National and Community Service, as appropriate based on the specific Performance Partnership Pilot involved.

(3) PERFORMANCE PARTNERSHIP PILOT.—The term ''Performance Partnership Pilot'' is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the State, regional, or local level that—

(A) involve 2 or more Federal programs (administered by one or more Federal agencies)—

(i) which have related policy goals, and

(ii) at least one of which is administered (in whole or in part) by a State, local, or tribal government; and

(B) achieve better results for regions, communities, or specific at-risk populations through making better use of the budgetary resources that are available for supporting such programs.

(4) LEAD FEDERAL ADMINISTERING AGENCY.—The term ''lead Federal administering agency'' is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot), that will enter into and administer the particular performance partnership agreement on behalf of that agency and the other participating Federal agencies.

(b) FLEXIBILITY OF FUNDS.—Participating Federal agencies may carry out not more than 10 Performance Partnership Pilots under this section. Each Performance Partnership Pilot shall—

(1) provide flexibility to the entities participating in the Performance Partnership Pilot with respect to discretionary funds under the authority of the participating Federal agencies, as specified in the performance partnership agreement;

(2) be designed to improve outcomes for disconnected youth, by increasing the rate at which disconnected youth achieve success in meeting educational, employment, or other key goals; and

(3) involve Federal programs targeted to disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training, employment, and other related social services.

(c) PERFORMANCE PARTNERSHIP AGREEMENTS.—Federal agencies may use Federal funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a performance partnership agreement that—

(1) is entered into between—

(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the agreement), and

(B) the respective representatives of all of the State, local, or tribal governments that are participating in the agreement; and

(2) specifies, at a minimum, the following information:

(A) The length of the agreement (which shall not extend for more than 3 years after the date upon which the parties enter into the agreement).

(B) The Federal programs and federally funded services that are involved in the Performance Partnership Pilot.

(C) The Federal funds that are being used in the Performance Partnership Pilot (by the respective Federal account identifier, and the total amount from such account that is being used in the Performance Partnership Pilot) in accordance with subsection (b)(1), and any period of availability for obligation (by the Federal Government) of any such funds.

(D) The non-Federal funds that are involved in the Performance Partnership Pilot, by source (which may include private funds as well as governmental funds) and by amount.

(E) The State, local, or tribal programs that are involved in the Performance Partnership Pilot.

(F) The populations to be served by the Performance Partnership Pilot.

(G) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(H) The cost-effective State, local, or tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(I) The outcome (or outcomes) that the Performance Partnership Pilot is designed to achieve.

(J) The appropriate, reliable, and objective outcome-measurement methodology that the Federal Government and the participating State, local, or tribal governments will use, in carrying out the Pilot, to determine whether the Performance Partnership Pilot is achieving, and has achieved, the specified outcomes that the Performance Partnership Pilot is designed to achieve.

(K) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the Pilot.

(L) In cases where, during the course of the Performance Partnership Pilot, it is determined that the Performance Partnership Pilot is not achieving the specified outcomes that it is designed to achieve—

(i) the consequences that will result from such deficiencies with respect to the Federal discretionary funds that are being used in the Performance Partnership Pilot; and

(ii) the corrective actions that will be taken in order to increase the likelihood that the Performance Partnership Pilot, upon completion, will have achieved such specified outcomes.

(d) AGENCY HEAD DETERMINATIONS.—

(1) IN GENERAL.—A participating Federal agency may participate in a Performance Partnership Pilot (including by providing funds described in subsection (b)(1) that have been appropriated to such agency) only upon the written determination by the head of such agency that the agency's participation in such Performance Partnership Pilot—

(A) will not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the Performance Partnership Pilot, and

(B) based on the best available information, will not otherwise adversely affect vulnerable populations that are the recipients of such services.

(2) CONSIDERATION.—In making the determination under paragraph (1), the head of a participating Federal agency may take into consideration the other Federal funds described in subsection (b)(1) that will be used in the Pilot as well as any non-Federal funds (including from private sources as well as governmental sources) that will be used in the Performance Partnership Pilot.

(e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—For the purpose of carrying out the Performance Partnership Pilot in accordance with the performance partnership agreement, and subject to the written approval of the Director of the Office of Management and Budget, the head of each participating Federal agency may transfer the Federal funds described in subsection (b)(1) that are being used in the Pilot to an account of the lead Federal administering agency that includes other Federal discretionary funds that are being used in the Pilot. Subject to the waiver authority under subsection (f), such transferred funds shall remain available for the same purposes for which such funds were originally appropriated, except as provided in paragraph (2).

(2) EXCEPTION.—Funds transferred under paragraph (1) shall remain available for obligation by the Federal Government until the expiration of the period of availability for those Federal discretionary funds (which are being used in the Pilot) that have the longest period of availability, except that any such transferred funds shall not remain available beyond (which shall not extend for more than 3 years after the date upon which the parties enter into the performance partnership agreement).

(f) WAIVER AUTHORITY.—In connection with the participation by a Federal participating agency in a Performance Partnership Pilot, and subject to the other provisions of this section (including subsection (e)), the head of the Federal participating agency to which Federal funds described in subsection (b)(1) were appropriated may waive (in whole or in part) the application, solely to such discretionary funds that are being used in the Pilot, of any statutory, regulatory, or administrative requirement that such agency head—

(1) is otherwise authorized to waive (in accordance with the terms and conditions of such other authority), and

(2) is not otherwise authorized to waive, except that—

(A) the head of the agency shall not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and substate levels;

(B) the head of the agency shall issue, for any requirement described in this paragraph) a written determination, prior to granting the waiver, with respect to such discretionary funds that the granting of such waiver for purposes of the Performance Partnership Pilot—

(i) is consistent with both—

(I) the statutory purposes of the Federal program for which such discretionary funds were appropriated, and

(II) the other provisions of this section, including the written determination by the head of the agency issued under subsection (d);

(ii) is necessary to achieve the outcomes of the Performance Partnership Pilot as specified in the performance partnership agreement, and is no broader in scope than is necessary to achieve such outcomes; and

(iii) will result in either—

(I) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds, or

(II) increasing the ability of individuals to obtain access to services that are provided by such discretionary funds; and

(C) the head of the agency shall provide at least 60 days advance written notice to the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and all other committees of jurisdiction in the House of Representatives and the Senate.

(g) APPLICABILITY TO EXISTING PERFORMANCE PARTNERSHIP PILOTS.—Nothing in this part shall be construed to apply to any Performance Partnership Pilot carried out under the authority of section 524 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (Public Law 113–325; 128 Stat. 2522) or section 526 of the Department of Labor, Health and Human Services, and Related Agencies Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 413).

SA 2208. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 72, between lines 19 and 20, insert the following:

''(L) assessments adopted pursuant to subsection (b) require students to spend on average less than 2 percent of the average instructional time taking such assessments (except in the case of assessments that are determined to be performance-based, competency-based, or to justify the additional time), where such calculation of time spent on such assessments shall not include any additional time spent taking assessments provided as an appropriate accommodation to children with disabilities or students with a disability who are provided accommodations under another Act;

SA 2209. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 20, line 18, insert '', periodically review those strategies and the resulting data, use that information to continuously improve the strategies,'' after ''title''.

On page 69, between lines 12 and 13, insert the following:

''(M) how the State will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the State will use the results from such review or evaluation to refine and continuously improve such programs and activities;

On page 106, between lines 23 and 24, insert the following:

''(17) how the local educational agency will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the local educational agency will use the results from such review or evaluation to refine and continuously improve such programs and activities;

SA 2210. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 52, between lines 9 and 10, insert the following:

''(L) LIMITATION ON ASSESSMENT TIME.—

''(i) IN GENERAL.—As a condition of receiving an allocation under this part for any fiscal year, each State shall—

''(I) set a limit on the aggregate amount of time devoted to the administration of assessments (including assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required districtwide by the local educational agency) for each grade, expressed as a percentage of annual instructional hours; and

''(II) ensure that each local educational agency in the State will notify the parents of each student attending any school in the local educational agency, on an annual basis, whenever the limitation described in subclause (I) is exceeded.

''(ii) CHILDREN WITH DISABILITIES AND ENGLISH LEARNERS.—Nothing in clause (i) shall be construed to supersede the requirements of Federal law relating to assessments that apply specifically to children with disabilities or English learners.

SA 2211. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 111, between lines 24 and 25, insert the following:

''(2) TESTING TRANSPARENCY.—

''(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear, concise, and easily accessible manner on the local educational agency's website and, to the extent practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency or school, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and to the extent such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

''(i) the subject matter assessed;

''(ii) the purpose for which the assessment is designed and used;

''(iii) the source of the requirement for the assessment; and

''(iv) to the extent such information is available—

''(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

''(II) the time and format for disseminating results.

''(B) LEA THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

SA 2212. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

''(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

''(i) evaluates supports for teachers, leaders, and other school personnel, such as—

''(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

''(II) timely availability of data on student academic achievement and growth;

''(III) the presence of high-quality instructional leadership; and

''(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

''(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

''(I) school climate;

''(II) school safety;

''(III) class size;

''(IV) availability and use of common planning time and opportunities to collaborate; and

''(V) community engagement;

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

''(iv) includes the development and implementation, with the groups described in clause (iii), of a plan to address the results of the assessment described in this subparagraph, which shall be publicly reported; and

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SA 2213. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON GRANTS TO SANCTUARY CITIES.

Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by adding at the end the following:

''(d) LIMITATION ON GRANTS TO SANCTUARY CITIES.—

''(1) SANCTUARY CITY DEFINED.—In this section, the term 'sanctuary city' means a State or a political subdivision of a State that has in effect a statute, resolution, directive, policy, or practice that—

''(A) prohibits, or in any way restricts, an officer or employee—

''(i) from sending to, or receiving from, the Department of Homeland Security information regarding the citizenship or immigration status of an individual; or

''(ii) from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties, including with respect to the issuance of federal detainers; or

''(B) is otherwise not in compliance with the requirements of subsection (a) or (b).

''(2) LIMITATION ON GRANTS.—A sanctuary city is not eligible to receive a grant under the Edward Byrne Memorial Justice Assistance Grant Program established pursuant to subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).''.

SA 2214. Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr. NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; as follows:

On page 3, line 21, strike ''on'' and insert ''for''.

On page 4, line 1, insert '', through electronic or other means,'' after ''available''.

On page 4, line 3, strike ''on'' and insert ''for''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 9, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m., to conduct a hearing entitled ''Understanding America's Long-Term Fiscal Picture.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 9, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Amy Griffin, a fellow in Senator FRANKEN's office, be granted floor privileges during the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that Boris Granovskiy, a fellow in my office, be granted floor privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Molly Johnson, an intern in my office, be granted floor privileges for the duration of today's session in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that the following detailees, fellows, and interns on my Finance Committee staff be granted floor privileges for the remainder of the session: Sara Brundage, Jenni Greenlee, Daniel Hafner, Ernie Jolly, Jennifer Kay, Nolan Mayther, Alexandra Menardy, Tori Miller, J'Lill Mitchell, Nikesh Patel, Angelique Salizan, and Jay Weismuller.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING THE UNITED STATES COTTON FUTURES ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2620, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2620) to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2620) was ordered to a third reading, was read the third time, and passed.

UNITED STATES MERCHANT MARINE ACADEMY IMPROVEMENTS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 93, S. 143.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 143) to allow for improvements to the United States Merchant Marine Academy and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 143) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Merchant Marine Academy Improvements Act of 2015''.

SEC. 2. MELVILLE HALL OF UNITED STATES MERCHANT MARINE ACADEMY.

(a) GIFT TO THE MERCHANT MARINE ACADEMY.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) COVERED GIFTS.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) OPERATION CONTRACTS.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) CONTRACT TERMS.—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' includes any modification, extension, or renewal of the contract.

(2) FOUNDATION.—In this section, the term ''Foundation'' means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 132, S. 1180.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1180) to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Integrated Public Alert and Warning System Modernization Act of 2015''.

SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 526. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

''(a) IN GENERAL.—To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

''(1) modernize the integrated public alert and warning system of the United States (in this section referred to as the 'public alert and warning system') to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other man-made disasters or threats to public safety; and

''(2) implement the public alert and warning system to disseminate timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety.

''(b) IMPLEMENTATION REQUIREMENTS.—In carrying out subsection (a), the Administrator shall—

''(1) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

''(2) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, and multiple communication systems and technologies, as appropriate and to the extent technically feasible;

''(3) include in the public alert and warning system the capability to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency, to the extent technically feasible;

''(4) ensure that training, tests, and exercises are conducted for the public alert and warning system, including by—

''(A) incorporating the public alert and warning system into other training and exercise programs of the Department, as appropriate;

''(B) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; and

''(C) conducting, not less than once every 3 years, periodic nationwide tests of the public alert and warning system;

''(5) to the extent practicable, ensure that the public alert and warning system is resilient and secure and can withstand acts of terrorism and other external attacks;

''(6) conduct public education efforts so that State, tribal, and local governments, private entities, and the people of the United States reasonably understand the functions of the public alert and warning system and how to access, use, and respond to information from the public alert and warning system through a general market awareness campaign;

''(7) consult, coordinate, and cooperate with the appropriate private sector entities and Federal, State, tribal, and local governmental authorities, including the Regional Administrators and emergency response providers;

''(8) consult and coordinate with the Federal Communications Commission, taking into account rules and regulations promulgated by the Federal Communications Commission; and

''(9) coordinate with and consider the recommendations of the Integrated Public Alert and Warning System Subcommittee established under section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015.

''(c) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

''(1) to the extent determined appropriate by the Administrator, incorporate multiple communications technologies;

''(2) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

''(3) to the extent technically feasible, be designed—

''(A) to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency; and

''(B) to improve the ability of remote areas to receive alerts;

''(4) promote local and regional public and private partnerships to enhance community preparedness and response;

''(5) provide redundant alert mechanisms where practicable so as to reach the greatest number of people; and

''(6) to the extent feasible, include a mechanism to ensure the protection of individual privacy.

''(d) USE OF SYSTEM.—Except to the extent necessary for testing the public alert and warning system, the public alert and warning system shall not be used to transmit a message that does not relate to a natural disaster, act of terrorism, or other manmade disaster or threat to public safety.

''(e) PERFORMANCE REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Integrated Public Alert and Warning System Modernization Act of 2015, and annually thereafter through 2018, the Administrator shall make available on the public website of the Agency a performance report, which shall—

''(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

''(B) describe the performance of the public alert and warning system, including—

''(i) the type of technology used for alerts and warnings issued under the system;

''(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function needs, and individuals with limited-English proficiency; and

''(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

''(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

''(D) identify other necessary improvements to the system; and

''(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

''(2) CONGRESS.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).''.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this subsection referred to as the ''Administrator'') shall establish a subcommittee to the National Advisory Council established under section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) to be known as the Integrated Public Alert and Warning System Subcommittee (in this subsection referred to as the ''Subcommittee'').

(2) MEMBERSHIP.—Notwithstanding section 508(c) of the Homeland Security Act of 2002 (6 U.S.C. 318(c)), the Subcommittee shall be composed of the following members (or their designees):

(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency.

(B) The Chairman of the Federal Communications Commission.

(C) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(D) The Assistant Secretary for Communications and Information of the Department of Commerce.

(E) The Under Secretary for Science and Technology of the Department of Homeland Security.

(F) The Under Secretary for the National Protection and Programs Directorate.

(G) The Director of Disability Integration and Coordination of the Federal Emergency Management Agency.

(H) The Chairperson of the National Council on Disability.

(I) Qualified individuals appointed by the Administrator as soon as practicable after the date of enactment of this Act from among the following:

(i) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers.

(ii) Representatives from federally recognized Indian tribes and national Indian organizations.

(iii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

(I) communications service providers;

(II) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(III) third-party service bureaus;

(IV) the broadcasting industry, including public broadcasting;

(V) the commercial mobile radio service industry;

(VI) the cable industry;

(VII) the satellite industry;

(VIII) national organizations representing individuals with disabilities, the blind, deaf, and hearing-loss communities, individuals with access and functional needs, and the elderly;

(IX) consumer or privacy advocates; and

(X) organizations representing individuals with limited-English proficiency.

(iv) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) CHAIRPERSON.—The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency shall serve as the Chairperson of the Subcommittee.

(4) MEETINGS.—

(A) INITIAL MEETING.—The initial meeting of the Subcommittee shall take place not later than 120 days after the date of enactment of this Act.

(B) OTHER MEETINGS.—After the initial meeting, the Subcommittee shall meet, at least annually, at the call of the Chairperson.

(5) CONSULTATION WITH NONMEMBERS.—The Subcommittee and the program offices for the integrated public alert and warning system for the United States shall consult with individuals and entities that are not represented on the Subcommittee to consider new and developing technologies that may be beneficial to the public alert and warning system, including—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(6) RECOMMENDATIONS.—The Subcommittee shall—

(A) develop recommendations for an integrated public alert and warning system; and

(B) in developing the recommendations under subparagraph (A), consider—

(i) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(ii) recommendations to provide for a public alert and warning system that—

(I) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(II) has the capability to alert and warn individuals with disabilities and individuals with limited-English proficiency;

(III) to the extent appropriate, incorporates multiple communications technologies;

(IV) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(V) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(VI) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(VII) provides redundant alert mechanisms, if practicable, to reach the greatest number of people regardless of whether they have access to, or use, any specific medium of communication or any particular device.

(7) REPORT.—

(A) SUBCOMMITTEE SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall submit to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6) for approval by the National Advisory Council.

(B) SUBMISSION BY NATIONAL ADVISORY COUNCIL.—If the National Advisory Council approves the recommendations contained in the report submitted under subparagraph (A), the National Advisory Council shall submit the report to—

(i) the head of each agency represented on the Subcommittee;

(ii) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

(8) TERMINATION.—The Subcommittee shall terminate not later than 3 years after the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as may be necessary for each of fiscal years 2016, 2017, and 2018.

(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—

(1) DEFINITION.—In this subsection, the term ''participating commercial mobile service provider'' has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) LIMITATIONS.—Nothing in this Act, including an amendment made by this Act, shall be construed—

(A) to affect any authority—

(i) of the Department of Commerce;

(ii) of the Federal Communications Commission; or

(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with authority over, any participating commercial mobile service provider; [or]

(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, [2006.] *2006; or*

(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The bill (S. 1180), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1180

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Integrated Public Alert and Warning System Modernization Act of 2015''.

SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 526. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

''(a) IN GENERAL.—To provide timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety, the Administrator shall—

''(1) modernize the integrated public alert and warning system of the United States (in this section referred to as the 'public alert and warning system') to help ensure that under all conditions the President and, except to the extent the public alert and warning system is in use by the President, Federal agencies and State, tribal, and local governments can alert and warn the civilian population in areas endangered by natural disasters, acts of terrorism, and other manmade disasters or threats to public safety; and

''(2) implement the public alert and warning system to disseminate timely and effective warnings regarding natural disasters, acts of terrorism, and other man-made disasters or threats to public safety.

''(b) IMPLEMENTATION REQUIREMENTS.—In carrying out subsection (a), the Administrator shall—

''(1) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

''(2) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, and multiple communication systems and technologies, as appropriate and to the extent technically feasible;

''(3) include in the public alert and warning system the capability to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency, to the extent technically feasible;

''(4) ensure that training, tests, and exercises are conducted for the public alert and warning system, including by—

''(A) incorporating the public alert and warning system into other training and exercise programs of the Department, as appropriate;

''(B) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; and

''(C) conducting, not less than once every 3 years, periodic nationwide tests of the public alert and warning system;

''(5) to the extent practicable, ensure that the public alert and warning system is resilient and secure and can withstand acts of terrorism and other external attacks;

''(6) conduct public education efforts so that State, tribal, and local governments, private entities, and the people of the United States reasonably understand the functions of the public alert and warning system and how to access, use, and respond to information from the public alert and warning system through a general market awareness campaign;

''(7) consult, coordinate, and cooperate with the appropriate private sector entities and Federal, State, tribal, and local governmental authorities, including the Regional Administrators and emergency response providers;

''(8) consult and coordinate with the Federal Communications Commission, taking into account rules and regulations promulgated by the Federal Communications Commission; and

''(9) coordinate with and consider the recommendations of the Integrated Public Alert and Warning System Subcommittee established under section 2(b) of the Integrated Public Alert and Warning System Modernization Act of 2015.

''(c) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

''(1) to the extent determined appropriate by the Administrator, incorporate multiple communications technologies;

''(2) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

''(3) to the extent technically feasible, be designed—

''(A) to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, individuals with disabilities, individuals with access and functional needs, and individuals with limited-English proficiency; and

''(B) to improve the ability of remote areas to receive alerts;

''(4) promote local and regional public and private partnerships to enhance community preparedness and response;

''(5) provide redundant alert mechanisms where practicable so as to reach the greatest number of people; and

''(6) to the extent feasible, include a mechanism to ensure the protection of individual privacy.

''(d) USE OF SYSTEM.—Except to the extent necessary for testing the public alert and warning system, the public alert and warning system shall not be used to transmit a message that does not relate to a natural disaster, act of terrorism, or other manmade disaster or threat to public safety.

''(e) PERFORMANCE REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Integrated Public Alert and Warning System Modernization Act of 2015, and annually thereafter through 2018, the Administrator shall make available on the public website of the Agency a performance report, which shall—

''(A) establish performance goals for the implementation of the public alert and warning system by the Agency;

''(B) describe the performance of the public alert and warning system, including—

''(i) the type of technology used for alerts and warnings issued under the system;

''(ii) the measures taken to alert, warn, and provide equivalent information to individuals with disabilities, individuals with access and function needs, and individuals with limited-English proficiency; and

''(iii) the training, tests, and exercises performed and the outcomes obtained by the Agency;

''(C) identify significant challenges to the effective operation of the public alert and warning system and any plans to address these challenges;

''(D) identify other necessary improvements to the system; and

''(E) provide an analysis comparing the performance of the public alert and warning system with the performance goals established under subparagraph (A).

''(2) CONGRESS.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives each report required under paragraph (1).''.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM SUBCOMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this subsection referred to as the ''Administrator'') shall establish a subcommittee to the National Advisory Council established under section 508 of the Homeland Security Act of 2002 (6 U.S.C. 318) to be known as the Integrated Public Alert and Warning System Subcommittee (in this subsection referred to as the ''Subcommittee'').

(2) MEMBERSHIP.—Notwithstanding section 508(c) of the Homeland Security Act of 2002 (6 U.S.C. 318(c)), the Subcommittee shall be composed of the following members (or their designees):

(A) The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency.

(B) The Chairman of the Federal Communications Commission.

(C) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(D) The Assistant Secretary for Communications and Information of the Department of Commerce.

(E) The Under Secretary for Science and Technology of the Department of Homeland Security.

(F) The Under Secretary for the National Protection and Programs Directorate.

(G) The Director of Disability Integration and Coordination of the Federal Emergency Management Agency.

(H) The Chairperson of the National Council on Disability.

(I) Qualified individuals appointed by the Administrator as soon as practicable after the date of enactment of this Act from among the following:

(i) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers.

(ii) Representatives from federally recognized Indian tribes and national Indian organizations.

(iii) Individuals who have the requisite technical knowledge and expertise to serve on the Subcommittee, including representatives of—

(I) communications service providers;

(II) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(III) third-party service bureaus;

(IV) the broadcasting industry, including public broadcasting;

(V) the commercial mobile radio service industry;

(VI) the cable industry;

(VII) the satellite industry;

(VIII) national organizations representing individuals with disabilities, the blind, deaf, and hearing-loss communities, individuals with access and functional needs, and the elderly;

(IX) consumer or privacy advocates; and

(X) organizations representing individuals with limited-English proficiency.

(iv) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) CHAIRPERSON.—The Deputy Administrator for Protection and National Preparedness of the Federal Emergency Management Agency shall serve as the Chairperson of the Subcommittee.

(4) MEETINGS.—

(A) INITIAL MEETING.—The initial meeting of the Subcommittee shall take place not later than 120 days after the date of enactment of this Act.

(B) OTHER MEETINGS.—After the initial meeting, the Subcommittee shall meet, at least annually, at the call of the Chairperson.

(5) CONSULTATION WITH NONMEMBERS.—The Subcommittee and the program offices for the integrated public alert and warning system for the United States shall consult with individuals and entities that are not represented on the Subcommittee to consider new and developing technologies that may be beneficial to the public alert and warning system, including—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(6) RECOMMENDATIONS.—The Subcommittee shall—

(A) develop recommendations for an integrated public alert and warning system; and

(B) in developing the recommendations under subparagraph (A), consider—

(i) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(ii) recommendations to provide for a public alert and warning system that—

(I) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(II) has the capability to alert and warn individuals with disabilities and individuals with limited-English proficiency;

(III) to the extent appropriate, incorporates multiple communications technologies;

(IV) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(V) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(VI) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(VII) provides redundant alert mechanisms, if practicable, to reach the greatest number of people regardless of whether they have access to, or use, any specific medium of communication or any particular device.

(7) REPORT.—

(A) SUBCOMMITTEE SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Subcommittee shall submit to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6) for approval by the National Advisory Council.

(B) SUBMISSION BY NATIONAL ADVISORY COUNCIL.—If the National Advisory Council approves the recommendations contained in the report submitted under subparagraph (A), the National Advisory Council shall submit the report to—

(i) the head of each agency represented on the Subcommittee;

(ii) the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(iii) the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives.

(8) TERMINATION.—The Subcommittee shall terminate not later than 3 years after the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as may be necessary for each of fiscal years 2016, 2017, and 2018.

(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—

(1) DEFINITION.—In this subsection, the term ''participating commercial mobile service provider'' has the meaning given that term under section 10.10(f) of title 47, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) LIMITATIONS.—Nothing in this Act, including an amendment made by this Act, shall be construed—

(A) to affect any authority—

(i) of the Department of Commerce;

(ii) of the Federal Communications Commission; or

(iii) provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) to provide the Secretary of Homeland Security with authority to require any action by the Department of Commerce, the Federal Communications Commission, or any nongovernmental entity;

(C) to apply to, or to provide the Administrator of the Federal Emergency Management Agency with authority over, any participating commercial mobile service provider;

(D) to alter in any way the wireless emergency alerts service established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.) or any related orders issued by the Federal Communications Commission after October 13, 2006; or

(E) to provide the Federal Emergency Management Agency with authority to require a State or local jurisdiction to use the integrated public alert and warning system of the United States.

E–WARRANTY ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 142, S. 1359.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1359) to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Fischer-Nelson amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2214) was agreed to, as follows:

(Purpose: To improve the bill)

On page 3, line 21, strike ''on'' and insert ''for''.

On page 4, line 1, insert '', through electronic or other means,'' after ''available''.

On page 4, line 3, strike ''on'' and insert ''for''.

The bill (S. 1359), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1359

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''E-Warranty Act of 2015''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Many manufacturers and consumers prefer to have the option to provide or receive warranty information online.

(2) Modernizing warranty notification rules is necessary to allow the United States to continue to compete globally in manufacturing, trade, and the development of consumer products connected to the Internet.

(3) Allowing an electronic warranty option would expand consumer access to relevant consumer information in an environmentally friendly way, and would provide additional flexibility to manufacturers to meet their labeling and warranty requirements.

SEC. 3. ELECTRONIC DISPLAY OF TERMS OF WRITTEN WARRANTY FOR CONSUMER PRODUCTS.

(a) IN GENERAL.—Section 102(b) of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2302(b)) is amended by adding at the end the following:

''(4)(A) Except as provided in subparagraph (B), the rules prescribed under this subsection shall allow for the satisfaction of all

requirements concerning the availability of terms of a written warranty on a consumer product under this subsection by—

''(i) making available such terms in an accessible digital format on the Internet website of the manufacturer of the consumer product in a clear and conspicuous manner; and

''(ii) providing to the consumer (or prospective consumer) information with respect to how to obtain and review such terms by indicating on the product or product packaging or in the product manual—

''(I) the Internet website of the manufacturer where such terms can be obtained and reviewed; and

''(II) the phone number of the manufacturer, the postal mailing address of the manufacturer, or another reasonable non-Internet based means of contacting the manufacturer to obtain and review such terms.

''(B) With respect to any requirement that the terms of any written warranty for a consumer product be made available to the consumer (or prospective consumer) prior to sale of the product, in a case in which a consumer product is offered for sale in a retail location, by catalog, or through door-to-door sales, subparagraph (A) shall only apply if the seller makes available, through electronic or other means, at the location of the sale to the consumer purchasing the consumer product the terms of the warranty for the consumer product before the purchase.''.

(b) REVISION OF RULES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall revise the rules prescribed under such section to comply with the requirements of paragraph (4) of such section, as added by subsection (a) of this section.

(2) AUTHORITY TO WAIVE REQUIREMENT FOR ORAL PRESENTATION.—In revising rules under paragraph (1), the Federal Trade Commission may waive the requirement of section 109(a) of such Act (15 U.S.C. 2309(a)) to give interested persons an opportunity for oral presentation if the Commission determines that giving interested persons such opportunity would interfere with the ability of the Commission to revise rules under paragraph (1) in a timely manner.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 219, designating July 25, 2015, as ''National Day of the American Cowboy''; S. Res. 220, commemorating the 50th Anniversary of the Medora Musical; and S. Res. 221, recognizing the 100th anniversary of Rocky Mountain National Park.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

EVERY CHILD ACHIEVES ACT OF 2015

AMENDMENT NO. 2119, AS MODIFIED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the adoption of the Gardner amendment No. 2119, that the modification of the page and line numbers, which is at the desk, be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2119), as modified, is as follows:

On page 19, line 24, insert ''public charter school representatives (if applicable),'' before ''specialized''.

On page 98, line 10, insert ''public charter school representatives (if applicable),'' after ''leaders,''.

LETTER OF RESIGNATION FROM THE U.S. AIR FORCE ACADEMY BOARD OF VISITORS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following letter of resignation from the U.S. Air Force Academy Board of Visitors be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
July 8, 2015.

Hon. JOSEPH R. BIDEN, Jr.
Vice President of the United States, The White House, Washington, DC.

DEAR MR. VICE PRESIDENT: I have been honored to serve as a member of the U.S. Air Force Academy Board of Visitors for the past four years. I have appreciated the opportunity to represent and advise one of the finest military academies in the world.

Serving as a member of the Board has been one of the great honors of my career. However, due to my increasingly demanding schedule, I regret that I must resign from my position. I am fully confident that your next appointee will be an outstanding person of character who embodies the values and ideals of the U.S. Air Force.

Again, thank you for the opportunity to serve the men and women of the Air Force Academy.

Sincerely,

LINDSEY O. GRAHAM,
U.S. Senator.

ORDERS FOR MONDAY, JULY 13, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, July 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each; that lastly, following morning business, the Senate then resume consideration of S. 1177.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JULY 13, 2015, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Monday, July 13, 2015, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DARLENE MICHELE SOLTYS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE NATALIA COMBS GREENE, RETIRED.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL DAVID W. ASHLEY
COLONEL JEREMY O. BAENEN
COLONEL STEPHEN F. BAGGERLY
COLONEL SAMUEL W. BLACK
COLONEL CHRISTINE M. BURCKLE
COLONEL DAVID B. BURGY
COLONEL JANUS D. BUTCHER
COLONEL JOHN D. CAINE
COLONEL CRAIG A. CAMPBELL
COLONEL JOSEPH S. CHISOLM
COLONEL FLOYD W. DUNSTAN
COLONEL DOUGLAS A. FARNHAM
COLONEL LAURIE M. FARRIS
COLONEL JERRY L. FENWICK
COLONEL DAWN M. FERRELL
COLONEL DOUGLAS E. FICK
COLONEL ARTHUR J. FLORU
COLONEL DONALD A. FURLAND
COLONEL TIMOTHY H. GAASCH
COLONEL KERRY M. GENTRY
COLONEL JEROME M. GOUHIN
COLONEL RANDY E. GREENWOOD
COLONEL ROBERT J. GREY, JR.
COLONEL EDITH M. GRUNWALD
COLONEL GREGORY M. HENDERSON
COLONEL ELIZABETH A. HILL
COLONEL JOHN S. JOSEPH
COLONEL JILL A. LANNAN
COLONEL JAMES M. LEFAVOR
COLONEL JEFFREY A. LEWIS
COLONEL TIMOTHY T. LUNDERMAN
COLONEL ERIC W. MANN
COLONEL BETTY J. MARSHALL
COLONEL SHERRIE L. MCCANDLESS
COLONEL KEVIN T. MCMANAMAN
COLONEL DAVID J. MEYER
COLONEL ROBERT A. MEYER, JR.
COLONEL STEVEN S. NORDHAUS
COLONEL SCOTT W. NORMANDEAU
COLONEL RICHARD C. OXNER, JR.
COLONEL KIRK S. PIERCE
COLONEL THERESA B. PRINCE
COLONEL DAVID L. ROMUALD
COLONEL EDWARD A. SAULEY III
COLONEL KEITH A. SCHELL
COLONEL BRIAN M. SIMPLER
COLONEL CHARLES G. STEVENSON
COLONEL BRADLEY A. SWANSON
COLONEL DEAN A. TREMPS
COLONEL WILLIAM M. VALENTINE
COLONEL RICHARD W. WEDAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. STEVEN A. SCHAICK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JEFFREY A. DOLL

DISCHARGED NOMINATION

The Senate Committee on Energy and Natural Resources was discharged from further consideration of the following nomination pursuant to the

order of June 28, 1990 and the nomination was placed on the Executive Calendar:

*MONICA C. REGALBUTO, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT).

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.